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JOURNAL

OF

SOCIAL SCIENCE,

Periodicals

CONTAINING THE

TRANSACTIONS OF THE AMERICAN ASSOCIATION.

NUMBER XIX.

DECEMBER, 1884.

SARATOGA PAPERS OF 1884.

PART I.

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PUBLISHED FOR THE
AMERICAN SOCIAL SCIENCE ASSOCIATION,
BY CUPPLES, UPHAM & CO., BOSTON, AND G. P. PUTNAM'S SONS,
NEW YORK.
1885.

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no 19-21

EDITED BY

F. B. SANBORN,

GENERAL SECRETARY OF THE ASSOCIATION,

CONCORD, MASSACHUSETTS.

TOLMAN & WHITE,
Printers for the American Social Science Association,
383 *Washington Street, Boston.*

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PREFACE.

The Papers included in this number of the *Journal of Social Science* are about half of the Saratoga Papers of 1884. As some misapprehension may exist in regard to the publication of Papers by the Association, it may here be said that all Papers, engaged for the General Meeting of the American Social Science Association, are so engaged with the understanding that they may be printed in the *Journal of Social Science*, if the Council so decide; if, therefore, the writers choose to publish their Papers elsewhere, (to which the Council offers no objection), it must be with the stipulation that these Papers may also be published in the *Journal*, at the option of the Council as to the time of publication.

A list of all the Addresses and Papers at the Meeting of 1884 will be found on pages v. and vi.

ORDER OF BUSINESS

AT THE

GENERAL MEETING OF 1884.

IN GENERAL SESSION.

Monday Evening, September 8th, 8 P. M., Opening Address of the President, Hon. JOHN EATON, of Washington, D, C.

Tuesday, September 9th, 12 M., A Debate opened by President WALKER of the Massachusetts Institute of Technology, on *Industrial Education.* (In this Debate the National Prison Association took part, and a joint meeting of the two Associations continued through the evening, after the election of officers.)

4, P. M., The first meeting of the American Historical Association, in connection with the Social Science Association.

8, P. M., Report of the General Secretary, and Election of Officers.

Wednesday Evening, September 10th, 8, P. M., Address of CARROLL D. WRIGHT, of Boston, on *The Scientific Basis of Tariff Legislation.* Mr. ATKINSON's Paper was submitted at this session.

Thursday Evening, September 11th, 8, P. M., An Address on *The Condition of the Freedmen Before the Law*, by GEORGE W. CABLE, ESQ., of New Orleans.

DEPARTMENT MEETINGS.

Tuesday, September 9th.

DEPARTMENT OF EDUCATION.

9.30, A. M., Address by the Chairman, Prof. W. T. HARRIS, on *The Study of Greek and Latin in American Colleges.*

10, A. M., Report of the Secretary, MRS. TALBOT, on *Recent Educational Work.*

11, A. M., A Paper on *The Higher Education of Women*, by MISS LOUISA INNES LUMSDEN, of Aberdeen, Scotland, followed by a Debate, which was opened by MISS FRANCES DOVE.

Wednesday, September 10th.

DEPARTMENT OF HEALTH.

9.30, A. M., Address by the Chairman, PROF. D. A. SARGENT, of Harvard University, on *The Tendency of Modern Athletics*, followed by a Debate.

11, A. M., A Paper by PROF. HITCHCOCK, of Amherst College, on *Physical Training in Colleges practically Considered*, followed by a Debate.

1, P. M., Report on *The Results of Physical Training in Schools and Colleges for Women, etc.*, by the Secretary, MISS LUCY M. HALL, M.D., of Brooklyn, N. Y.

Wednesday, September 10th.

DEPARTMENT OF FINANCE.

9.30, A. M., A Paper by PROF. HENRY C. ADAMS, on *The Financial Standing of States.*

Thursday, September 11th.

DEPARTMENT OF JURISPRUDENCE.

At 9.30, A. M., A Paper on *The Law of Commitment in Lunacy*, by REV. F. H. WINES, of Springfield, Ill., followed by a Debate on *Lunacy Laws*, by DR. D. H. TUKE, of London, Eng., DR. ROBERT BAKER, and others.

11, A. M., A Paper on *The Conflict of State Laws,—the Evil and the Remedy*, by EUGENE SMITH, ESQ., of New York.

12, M., A Paper on *The Threefold Basis of the Criminal Law*, by REV. F. H. WINES, of Springfield, Ill.

12.30, P. M., A Paper on *The Pardoning Power*, by PROF. FRANCIS WAYLAND, of Yale College.

1, P. M., A Paper by PROF. A. O. WRIGHT, of Madison, Wis., on *Lunacy Laws in the Northwestern States.*.

(The two last named Papers were submitted, but not read.)

Friday, September 12th.

DEPARTMENT OF SOCIAL ECONOMY.

9.30, A. M., Address by the Chairman, F. B. SANBORN, ESQ., of Concord, Mass.

10, A. M., A Paper on *The Extension of Reform Methods to the Civil Service of States and Cities*, by EDWARD M. SHEPARD, ESQ., of Brooklyn, N.Y.

12, M., A Paper on *Hebrew Charities*, by MISS MARY M. COHEN, of Philadelphia, followed by a Debate.

The joint meeting of the National Prison Association, and the Social Science Association, was presided over by Hon. R. B. HAYES, Ex-President of the United States, and President of the Prison Association, which held a session of several days at Saratoga, before and during the Social Science meeting.

The American Historical Society was organized at the joint meeting of Tuesday Afternoon, Sept. 9th, and afterward held several sessions by itself during the week.

The Officers of the American Social Science Association were elected on the 9th, as they stand in the list on page 180, and MISS LUMSDEN, and MISS FRANCES DOVE, of Scotland, M. F. BOUSSIN, of Paris, France, and M. P. BULS, of Brussels, Belgium, were elected Corresponding Members of the Association.

ADDITIONS TO THE PAPER OF PROF. ADAMS, AND CORRECTIONS THEREIN.

Prof. H. C. Adams has made certain additions to his paper on "The Financial Standing of States," since it was printed in the early pages of this JOURNAL, and some corrections and substitutions as follows:

Page 29. Instead of the sentence beginning "It was as a subordinate part of a general policy," insert,—

"There seems at this time to have been a reaction in favor of an extension of local administrative functions. The States were thus forced to the front and imposed with new duties, and it was their effort to respond to the demands of this general policy which led them into financial embarrassment."

Page 41. Instead of the sentence, "But with the reaction of opinion, these local laws were changed," insert,—

"When, however, the reaction against this sentiment arose, which sprang from the failure of experiments actually undertaken, local laws were radically changed."

Pages 45–6. Beginning with the sentence near the bottom of page 45, "This once accomplished" let the passage read thus,—

"This once accomplished, and popular government in this country is placed in serious jeopardy. Say what men will,—there is an eternal difference between a Democratic Republic and a Republican Empire. Popular government means local government. Real power lies at the centre of administrative control, and nothing can take us so far from the idea of the fathers as to establish for domestic affairs the same concentration of management in the hands of Congress as now exists for foreign affairs. The early statesmen recognized the difference between these two lines of public duty, and it is not now the part of wisdom for us to obliterate this distinction. Yet consider how embarrassing is the position of the American people in the presence of such relations. A clear recognition of the evils of too great concentration of power in the hands of the central government is practically a guarantee to the corporations that they will not be interfered with except through restraining laws that do not restrain; for the States, the natural recipients of such powers are precluded from interference by the fact that they have lost their financial standing. This condition of affairs is, at least, suggestive.

It was not my purpose, however, to bring the railroad question, as such, into prominent view. The conclusions of this study are general and not particular. They point to the difficulties that arise in the solution of a large class of public questions, and indeed, the misfortunes that have already come to this country on account of the decadence in financial standing of the States. It is an historic rule of wide application, that as countries become more populous, and the social and industrial relations more complex, the functions of government must necessarily extend to continually new objects. This rule holds good now and in this country, and, in consequence, the question of the residence of new powers becomes important. Consider, as a simple illustration, the increasing necessity of a care of the forests. The frequent recurrence of floods, the more rapid and marked alternation of drought and wet, the progress of farming toward the exhaustion of lands, and other signs, point clearly to the fact that the people of this country must soon turn their attention to the culture of trees. But this is a line of enterprise that individuals will not enter upon, because the returns in dividend are too remote from the first investment. It is a legitimate sphere for the employment of public credit, and the only remaining question is, shall the enterprise be undertaken by the central or local governments? To my mind there is but one answer. The several States are the proper centre for the exercise of this function, yet they are in no position to perform this duty. They have been deprived of the facilities for undertaking such a measure by an over-solicitous people, frightened by one unfortunate venture."

Prof. Adams' Paper having been read during his absence from the country, and the proof-sheets having failed to reach him in time for his revision, a few corrections of the press are here given.

Page 27. For "millions," read "billions."

Page 28. The quotation is from the London Times of 1840.

Page 29. For "their party," read, "such a party."

Page 36. For "national policy," read "national banking policy."

Page 40. (Line 2.) For "first empire," read "Hamiltonian empire."

Page 44. (Line 20.) For "commercial," read, "transportation. (Line 25.) For "They," read "This system." (Line 26.) After "these," insert, "latter."

Page 45. (Line 29.) For "must," read, "can."

THE COMMONWEALTH OF SOCIAL SCIENCE.

ANNUAL REPORT OF THE GENERAL SECRETARY, F. B. SANBORN.

(Read Tuesday, September 9, 1884.)

"When the right virtuous Edward Wotton and I were at the Emperor's court together," said Sir Philip Sidney, in his "Apology for Poesy," 300 years ago, "we gave ourselves to learn horsemanship of Giovanni Pietro Pugliano; and he, according to the fertileness of the Italian wit, sought to enrich our minds with the contemplation therein which he thought most precious. He said soldiers were the noblest estate of mankind, and horsemen the noblest of soldiers; they were the masters of war, and ornaments of peace; speedy goers and strong abiders; no earthly thing bred such wonder to a prince as to be a good horseman; skill of government was but a pedantry in comparison. Then would he add certain praises by telling what a peerless beast the horse was; the only serviceable courtier without flattery; the beast of most beauty, faithfulness, courage and such more, that, if I had not been a piece of a logician before I came to him, I think he would have persuaded me to have wished myself a horse. But this much, at least, he drove into me, that self-love is better than any gilding to make that seem gorgeous wherein ourselves be parties."

Is it self-love in us that bids us believe there is nothing in the range of human knowledge better than that which we call Social Science, even though to most men it seems but an airy Pegasus carrying them nowhere, or else a poor pack-horse, stooping like Issachar, between his two burdens of statistics and inferences. Let us, in our customary manner, examine this matter a little, and again set forth the nature and dignity of that commonwealth of confederated studies which must be known, for lack of a better name as Social Science.

It was Cicero who pointed out, in a well-known passage, that all the arts pertaining to culture are linked in one chain, and hold a sort of relationship to one another; each suggesting, if not accompanying a kindred train of "its sisters, its cousins and its aunts." Particularly is this saying true of the social sciences, which appear

as a family gathering or Thanksgiving dinner, spread out under the banyan branches of the tree of knowledge: —

> Full of proportions, one limb to the other,
> And all to the world besides;
> For head with foot hath private amity,
> And both with moons and tides.

Our commonwealth of social science is then like that island where I found myself, a month ago, in which everybody is of kin to everybody else, and the most hostile, as well as the most friendly relations exist within the same narrow circle of names. Political economy may bite its thumb at Philanthropy; the Malthusian may apply his preventive check to the followers of Franklin; the science of wealth and the science of health may grapple in deadly combat; but it is a warfare worse than civil, for the antagonists are brothers and sisters, like the Theban princes of the old Greek tragedy. "Live and let live," should be their maxim; they should hang together, as the witty rebel said, "lest they should all hang separately."

Xerxes rewarded the man who invented for him a new pleasure; and we may well offer a prize for a new definition of our science. I almost thought I had found one in the newest Encyclopedia, Mr. Lalor's, just completed at Chicago, in which the French economist, Maurice Block, discourses briefly and generally of "Social Science." He says: "There is a science which concerns itself with the means of satisfying our natural wants; there is another which has to do with our moral wants. One is political economy, the other, moral science; it is *therefore*, the union of the two which constitutes Social Science. For the good of humanity, the two branches of Social Science should exercise a perfectly equal influence, and thus establish that equil.brium which is the sign of health." This is good advice, and may well be followed even by those who do not quite see the force of M. Block's "therefore." But these two sciences, in order to fulfil this author's conditions hypothetically, must contain each many other subordinate sciences, as in fact they do, — and it is the application of these branches of knowledge to the circumstances of mankind, that constitutes what we must regard as the true and practical Social Science.

Nowhere in the world has this practical application, this crucial experiment, been made under conditions so favorable to observe the result, as in our own country within the past 200 years. It is

now more than a century since the kindly genius of St. Pierre, that French philanthropist who created "Paul and Virginia," undertook to imagine a commonwealth in which political order should conform to natural law; and he placed this fancied Utopia in South America, near the banks of the Amazon.

"I spread myself in imagination," he says, "over the vast forests; I built forts; I broke up the ground; I covered it with abundant crops and with trees and vines laden with all kinds of fruit foreign to Europe. I offered an asylum to men of all the nations in which I had known unhappy persons. There were Hollanders and Swiss who had no land in their own country, and Russians who had no money to cultivate their vast wilderness with; Englishmen fatigued with the convulsions of popular governments, and Italians tired of the lethargy of aristocracies; Prussians dissatisfied with military despotism, Poles with their republican anarchy; Spaniards worn out with the intolerance of Spanish opinions, and Frenchmen with the inconstancy of their own; Knights of Malta and Algerians; peasants from Bohemia, Poland, Russia, Burgundy, Brittany, fleeing from the tyranny of their own countrymen; fugitive negro slaves from our barbarous colonies; powerful persons of all nations with their dependents; courtiers, lawyers, literary men, soldiers, merchants, bankers, all tormented with the maladies of European thought; Africans and Asiatics, all seeking to oppress one another, and acting upon each other by force, fraud, impiety or superstition. These persons, abjuring the natural prejudices which had made them all their lives the enemies of other men, and especially that passion which is the origin of all the hatreds of the human race, and which Europe makes its children imbibe with their mothers' milk—that desire to be foremost,—abjuring these, they adopted, under the guidance of the Author of nature, principles of universal toleration. By this act of common justice, they found exercise without obstacle, each for his own special characteristics. The Dutch, in that new country, carried agriculture and commerce into the midst of swamps, the Swiss to the summit of mountains, and the Russians, skilful with the ax, to the middle of the dense forests. The English devoted themselves to navigation and the useful arts which strengthen society; the Italians to those liberal arts which embellish it; the Prussians to military manoeuvers; the Poles to horsemanship; the solitary Spaniard employed the talents which require constancy; the Frenchmen those gifts which render life agreeable, and that sociable instinct which makes him the connecting link between other nations. All these men, so different in opinion and habit, showed each other, by toleration, the best side of their characters, and tempered the defects of one by the excess of another. Hence, must result in due time, by education, laws and customs, a union of arts, talents, virtues and religious principles, in a single people

whose destiny is to maintain complete harmony at home, withstand all foreign conquest, and amalgamate with all the rest of mankind."

Such was the dream of St. Pierre in 1773, and such he communicated it to Rousseau, with whom he was then intimate, rambling with him in the suburbs of Paris and conversing on human perfection and the corruptions of the eighteenth century. In one of these conversations St. Pierre asked his Mentor why he (Rousseau) had not tried to form a blissful republic somewhere. "Why not," he suggested, "in some uninhabited isle of the South sea, with some Europeans, (myself, for instance,) who have neither country nor fortune, establish a colony like that of William Penn in North America, in the midst of savages?" To which Rousseau answered: "Our age is so different! In Penn's time people believed something; now-a-days nobody believes anything." And so both of these philanthropists gave up their vision of a great nation in America, and agreed that St. Pierre should write a romance about the shepherds of Arcadia. "I had imagined," he said, "in our time, and in a part of the world not unknown, the existence of a people of importance, made up almost entirely of the unsuccessful refuse of European countries, and yet arriving speedily at the height of good fortune; but this rare phenomenon, worthy, at least, of the curiosity of Europe, ceased to interest men as soon as they found it did not exist." The literary fiction must change its form, therefore, and flit back to the good old classical mirage of pastoral life.

But do we not behold the fable of St. Pierre turned into the fact of American life — sixty millions of people in the United States and Canada, fulfilling, with slight qualifications, the ideal conditions that the eighteenth century laid down for a blissful republic? Here is universal toleration; here the amalgam of races; here the domestic peace and the contempt of foreign conquest. And here, which is more to our purpose, is the grand international exhibition of the social sciences in full operation, unfettered by traditions and precedents, and escaping easily from the dominion of vested interests and petrifying institutions. Great is the opportunity then, if we can only get this vast problem accurately studied and intelligibly reported. What are our means for that?

This Association, and those two younger ones which meet with us this year, could do little in reporting the investigations of Social Science, however extended might be their researches, if it were not

for the newspaper press—an agency of which the French encyclopædists took little account, because, in fact, it did not exist as we know it now, in the days of Rousseau. There were journals for which Franklin and Johnson wrote, and others from the income of which men of letters, like Marmontel and St. Pierre, received pensions; but the period of the London Times and the New York Herald was not then so much as imagined. The best image and model of the "Republic of Letters" is now this newspaper press which, in its way, unites the Dutch, the Swiss, the Bohemian, the solitary Spaniard, the sociable Gaul, the practical Englishman, the artistic Italian, the Pole on horseback, the Prussian martinet, and the Russian with his hatchet, in as firm an amalgam as St. Pierre's Amazonian commonwealth could have done. Besides these, we have added to the ranks of journalism the irrepressible Irishman, the canny Scot, the serious Scandinavian, and the universal Yankee, to say nothing of the Greeks and Jews, Hindoos, Japanese, and Californians. *Ex uno disce omnia*—from this one daily cyclopædia we now learn everything; it is "not one, but every man's epitome," and aspires to the omnipotence and omniscience that an earlier age ascribed to divinity alone.

That incomparable Countess of Pembroke, "fair and learned and good," "Sidney's sister, Pembroke's mother," did not mean to describe the modern newspaper when she wrote, three centuries ago, this abridgment of its powers and intelligence:

Thou walkest with me when I walk;
When to my bed for rest I go
I find thee there,
And everywhere;
Not youngest thought in me doth grow,
No, not one word I cast to talk,
But, yet unuttered, thou dost know.

If forth I march, thou goest before;
If back I turn, thou comest behind;
So, forth nor back
Thy guard I lack,
Nay, on me, too, thy hand I find;
Well I thy wisdom may adore,
But never reach with earthly mind.

Remarkable as this anticipation of the ubiquitous and all-knowing interviewer must seem, it is surpassed in aptness by that verse in which Lady Mary Herbert announced a New York journalist of

our day, and his newspaper that "shines for all," but positively blazes for Gen. Butler:—

> O Sun! whom light nor flight can match,
> Suppose thy lightful, flightful wings
> Thou lend to me,
> And I could flee
> As far as thee the evening brings,
> Even led to West, he would me catch,
> Nor should I lurk with western things.

To this Sibyl, with its infinity of inscribed leaves, which the same wind inspires and disperses, must we commit the daily oracles of social science, obtain these as we may. But there are, also, volumes of deeper research, demanding long and patient study, the comparison of many records, and such observations as physical science makes on revolving stars, moving earthly bodies and the viewless currents of the two oceans, of water and air, by which we are surrounded. In human affairs "everything flows," as Heraclitus whispered beside the cradle of natural science; and our instruments must measure motion from a moving deck on a restless stream. We shoot not only folly but wisdom "as it flies," and what was the statistic of one age becomes an old almanac of the next. Admitting this for true, we may still take pride in that monument of research and observation, which some of our members—President Walker, Col. Wright, Mr. Weeks, Mr. Wines, Mr. Atkinson, and others—have produced in the volumes, present and future, of the United States census of 1880. The undertaking was only less vast than the fortunes of the country, and the resources of Social Science, and small blame that its results fell short of the daring purpose which endeavored what was practically impossible; yet the work actually done surpasses all that has been attempted before. In such volumes, and in the kindred researches of state officials, professional economists, writers for reviews and cyclopædias, and the too-often unrecognized editors of daily and weekly journals, must be found the records of Social Science in America, rather than in the discussions or publications of our little society. We serve more as a working-point or shaft for the accumulation and transfer of motive power than as originators of what, in so wide a field, ten times our small number could not initiate. Yet in time the labors of a few ceaseless investigators build up the fabric of a science; and posterity may find among our members some to whom the origin of a theory or a

demonstration must be assigned. We have now and then asserted our modest claim to have initiated that civil-service reform, which has since become the shibboleth and secret dread of politicians, and many of our members are still engaged in carrying forward that now triumphant policy into every province where it can take effect. It was by our Association that the Conference of Charities, now so vigorous, was planted and promoted. The National Prison Association, which we hope will become equally efficient, was at first promoted and then recalled to life by us; it being one of the functions of this Association to serve as a *crêche*, or day-nursery, in whose care the intellectual parents of promising movements may leave their infants until they are able to go alone.

We are now in the twentieth year of our existence, reckoning from the little conference in Boston, out of which came the circular of August, 1865, that brought our first meeting together; and this is the twentieth annual meeting we have held. In that time we have seen many changes, not only of material condition and political development in the country we represent, but also in the intellectual opinion and moral status of America and the world at large. Short as our period has been, it includes the "reconstruction" of nearly half the United States on a new theory of labor and political rights; the utter downfall, beyond apparent recovery, of the flourishing Napoleonic empire, and the uprearing of another great empire, the German, amidst the sovereignties of Europe; the settlement upon a just and, let us hope, a permanent basis, of the long-vexed question of Italian unity; and one or two steps taken toward the removal of that common plague of Europe and Asia, the "unspeakable Turk" from his camp on the Bosphorus. Democracy has made long strides in the short interval, and we see it today, not only dominant in France, but threatening the House of Lords in England, and aiming wild blows at the absolute despotism of Russia. It is odd to find the English poets and Punch attacking the House of Lords, and figuring the British Lion with the face of John Bright; but we do not yet expect to see that most English of institutions go down, when a little compromise will save it. Yet it must continue to exist, if at all, under great concessions to the democratic spirit, which has advanced not only in the political field, but in the domain of economic science. Within the life-time of our Association the aristocratic "wage-fund" theory, that fiction of English economists, has gone to pieces, and an American

economist has laid down the counter-proposition in accord with the democratic spirit, that the "residual claimant to the product of labor is not, as under the old economic doctrine, the capitalist-employer, but the laborer."

This proposition has been developed in a practical way, by our associate, Edward Atkinson, in a valuable paper read before the British Association at Montreal, in which he seems to show that in a given product (of the Massachusetts cotton-mills for fifty years past), the profits of capital necessarily diminish, and the wages of labor increase. This is an interesting statement, which is held by Mr. Atkinson, and other American economists, to point toward a general law. Should their opinion be sustained, the common saying that under our industrial civilization, "the rich are growing richer, and the poor poorer," would not appear to be necessarily true; and one great argument of demagogues, one chief fear of philanthropists would be removed. Col. Wright, our Massachusetts statistician, who has undertaken the perilous task of proposing a fair settlement of the basis of discussion in regard to tariff rates, has for years been working towards the statistical results by which Mr. Atkinson's theory must be proved universally true, if that can be done at all; and we all wish him success in his labor of infinite detail.

The chief topics for discussion in our Health Department, again remind us of the progress made since the Association was organized. College athletics for young men scarcely existed in 1865, in any systematic form, while for young women they did not exist at all, for the good and sufficient reason that there were no colleges for women. But now, as Mrs. Talbot and Miss Lumsden have shown us today, the higher education of women, for which this Association has constantly striven, has proceeded so far that inductions of some value can be made concerning the physical effect of such education. The kindergarten, too, for the better instruction of young children, has come into the American system of education since 1865; and largely by the efforts of a few of our members, Miss Elizabeth Peabody and Prof. Harris, in particular.

Among the questions that will come before the Jurisprudence Department on Thursday, there is scarcely one in which great practical changes have not occurred since we first met, at the close of the civil war. The freedmen, as a class, were created by that war; and their condition, whether before or behind the law, has

been one of the chief political issues in the United States ever since. Our Association has never shrunk from the discussion of this topic, not as a political issue, but one which involved every department of our organization, the national education, health, finance, jurisprudence, and social economy. We are fortunate in its treatment by one who has shown as much skill in the reasonable presentation of facts, as in the delightful rambles and resources of fiction.

The laws concerning insanity and the punishment of crime, which are to be debated on Thursday, have been greatly systematized and made more uniform throughout the country, since 1865; yet much remains for this Association, and the specialists in each field, to do, as will doubtless appear in the discussions of the Jurisprudence Department.

On our closing day, the immediate application of civil-service rules to the various official grades in the States and cities will be the chief subject for debate; and none could be of more vital importance to good government and the whole disposition of our social economy. It is in these minor matters, rather than in the more extended concerns of the national government, that civil service comes home to the business and the bosoms of men, as a daily affair of their security and comfort. This subject connects itself with that of public charity, concerning which several questions will be raised by Miss Cohen's statement of Hebrew charities,—the alms-giving and alms-avoiding usages of that ancient race, from whom the modern world has derived its religion and no small part of its culture and discipline in life. We thus return at the close of our session, to that which was the beginning of Social Science,—the revelation of God to man through institutions and precepts, now hallowed by age and venerable even in misapprehension and error.

For we cannot too often consider and repeat that the origin of every science, and preëminently of the social sciences, is divine; that these fruits of man's wisdom, whether ripe or unripe, fall to us from a celestial tree, and do not spring up by chance, or in the course of rude nature from the earth on which we tread. "I cannot tell," said Sir Philip Sidney, in his translation of the French Calvinist Duplessis' argument against atheism, "whether I may wonder more at the good insight of the philosophers in the knowledge of many natural things, or at their blindness in the knowledge

of the Author of them. The things which we are to do in times to come, be already present in His sight. He knows men's natures in the seed, whereas we scarce know them in the flower." It is by the fruit, indeed, that we judge the principles of human conduct, and the character of men in action,—whose activity in its infinite variety, is the subject-matter of Social Science. To "know men's natures in the flower," by a scientific prediction, is what we aspire to; and there are men of genius who can guess at that in the seed, as Shakespeare and other great poets have done. Such an intuition of Social Science is denied to us, as to most men; we must proceed by the slow methods of observation and inference, guided always by a faith that teaches us the wisdom, the permanence and the goodness of that Power by whom the natural and the supernatural order of the universe is established and forever continued.

"Clothed with state and girt with might,
Monarch-like Jehovah reigns,—
He who earth's foundations pight,
Pight at first and yet sustains;
He whose stable throne disdains
Motion's shock and age's flight,—
He who endless One remains,—
One, the same, in changeless plight.

Rivers — yea, though rivers roar,
Roaring though sea-billows rise,
Vex the deep and break the shore,—
Stronger art thou, Lord of skies!
Firm and true thy promise lies,
Now and still, as heretofore;
Holy worship never dies
In thy house where we adore."

PAPERS OF THE FINANCE DEPARTMENT.

I. THE SCIENTIFIC BASIS OF TARIFF LEGISLATION.

By Carroll D. Wright, A. M., Chief of the Massachusetts Bureau of Statistics of Labor.

(Read September 10, 1884.)

In a commercial sense there are two great parties in this country, the Free Traders, and the Protectionists. The two great political parties have not, in recent years, drawn their lines distinctively on the issue of free trade and protection, because the two great commercial parties furnish a large portion of the members of the two great political parties, and so interchangeable and so thoroughly interwoven are the commercial elements with the political elements, that such a division is not likely to occur until one or the other system of commerce, or of trade, can be demonstrated beyond a doubt as the best system or policy for this country to adopt. This condition exists because the discussion of the tariff is still carried on within the realms of theory, neither party being able to demonstrate the correctness of its theory when reduced to practice. Of course all true theories must be true in practice in the long run, but the difficulty is that some conditions essential to the perfect working out of the theory do not exist when the principles of the theory come to be applied. This is very clearly illustrated in one of the great fundamental features of the tariff discussion.

There are in this country 90,000 operatives engaged in the manufacture of woollens; it is true, theoretically, that if woollen goods can be manufactured cheaper by English, French, German, or other operatives than by the American, the American consumer is entitled to the benefit of such cheaper manufacture, and that the 90,000 woollen operatives should therefore vacate their trade, and seek some other occupation, and let the manufacture of woollens take place where it can be done on the cheapest basis. This, theoretically, is the true doctrine without doubt, but, in order to have it work practically, we must, in the first place, secure the perfect mobility of labor, and until such mobility can be secured, the theory, however fine, or however true, can not find a practical application, because, as the conditions of industry now exist, such a number of operatives could not successfully seek other employ-

ment. This immobility of labor does not antagonize the theory at all, even in practice, for theoretically, the 90,000 woollen operatives would, in the long run, either find something else to do, or live a miserable existence until they needed nothing more to do. So, the theories of the free trader and of the protectionist, as illustrated by this one instance, cannot be so clearly demonstrated to the common mind as to make the tariff question as yet, a clearly defined political issue.

The discussion is still further involved, and to a great extent, by the want of illustration, that is, of sufficient data, whereby either theory can be clearly demonstrated; the advocates of the two great systems depend so largely upon assertion and assumption, and so little upon actual facts, that the common verdict, reached by the majority of the people, is that the tariff is a muddle, and even enlightened men, who have not made a special study of the question, do not hesitate to say that they do not understand what it means.

The advocates of each great commercial system bring to their advocacy great learning and great intelligence, and we are bound to say, when we look at the character of the advocates, thorough integrity, and we must also assume that each party, as represented by its members, is seeking only the good of the whole country, and yet sometimes, the asperity of the discussion, and it is too often so, would indicate that each thinks the other party is seeking only the destruction of the industries of the nation. Honest men honestly believe in the correctness of the positions they assume with reference to this great question, for this question is either a vital one, or it is not; the tariff either has a great influence on the prosperity of the masses of a country, or it has not; the welfare and the happiness of the wage receivers are enhanced by the existing policy, or they are not; the industries of a country are either built up, or restricted in their building up, by the influence of tariff legislation; the people are robbed, or they are not robbed, through import duties; they are swindled as consumers, or they are not, through the influence of these duties; and taking these questions as fundamental in the tariff discussion the tariff question does become a vital one, and if it is a vital question now, it has been a vital question in the past, and must be so until it is settled; and yet with these vital elements there are two sides, each of which is hotly fought. And this hot contest, it would seem to an ordi-

nary observer, should have been productive of sufficient intelligent data, on which legislation could be correctly based, long ere this.

A very brief and casual study of tariff legislation in the United States, proves to any one that it has not been carried through on any clearly defined basis, or on a sufficiently clearly defined basis to admit of saying that the tariffs of the past have been constructed on scientific groundwork.

It is not my purpose in this paper to discuss the merits or the demerits of either of the great commercial systems. With the exception of England, the protective principle is adopted in nearly all great producing countries, I mean those countries which are engaged in manufactures. In the United States, the free trade party finds its warmest adherents among the economists, students, and those generally who seek the practical application of theoretical systems, and among the great importers. On the other hand, the protectionist party finds its most active adherents among the producers themselves, including the manufacturers and the people they employ, and the producers of raw materials. Here then we have two well defined parties, the theorists on one side, and the business men, or those who must apply principles practically, on the other side. The merits and the demerits of the two great systems are so often and so forcibly set forth by the respective advocates, that no necessity exists for their discussion at the present time. So far as the motive of this paper is concerned then, the rights and the wrongs of the question are not to be considered, but taking the system which exists as one likely to exist for some years at least, the first duty we have in the premises it seems to me, is, to make our legislation depend upon clearly defined bases, and not upon haphazard statements, and not upon the representations of self interest alone.

I presume it is perfectly true that when the tariff acts of the past have been constructed, manufacturers made such representations to the proper congressional committee as in their judgment would indicate for the industries involved the true basis for the establishment of rates. But they could have only the crudest facts on which to base such a judgment; the best part of it was their knowledge of the markets of the world, and of the cost of manufacture, as obtained from very crude data, and the cost of importation, that is, of freight, but they had no well established data on which to make their recommendations to

Congress, and so our tariff acts represent a wide range of judgment, resulting in a wide range of rates of duty, any attempt to readjust which, has only resulted in more and greater discrepancies in the range.

My purpose then, is to show,

1st. What I mean by a scientific basis for tariff legislation.

2nd. The necessity for such a basis.

3rd. How can such a basis be secured?

And 4th. What would be the results of legislation based upon such a basis?

The *First* point, what is a scientific basis, is very briefly answered.

The basis which shall enable legislation to be clearly defined, and just in its operation in every particular, if any legislation is to be had at all, may properly be called a scientific basis.

When facts can be classified in such a way as to show their truth, which truth can be uniformly applied, you have reduced the matter to a science, which is, to quote Worcester, "the knowledge of many methodically digested and arranged so as to become attainable by one." It is knowledge certain and evident in itself. A classification of the facts which bear upon a tariff and by which certain absolute positions as to rates become established, would constitute a scientific basis, as the term is used in this paper, and such classification should be the result of such a wide collection of individual facts as to leave no doubt in the mind of any man, whether free trader or protectionist, of the position to be attained relative to each great industry. I am however well aware that such a basis, even when reached, would be to some extent a temporary one, but I am also convinced that the temporary features of such a basis would relate only to degree and not to the fundamental value of the basis itself, that is to say, the changes in industrial conditions are as a rule so slight, that the variation in the basis scientifically reached would not invalidate its usefulness to any great extent for just legislation. Great industrial disasters, from whatever cause, might result in the radical disturbance of some of the compositions determined by a scientific classification of data, but were such the case, the same methods which secured the original basis, would secure its scientific readjustment, so that the criticism which might perhaps properly be made upon the basis which I shall indicate, has not deterred me from prosecuting my study.

Second. Is there any necessity for a basis such as that indicated? To my own mind there is, and I come to this conclusion from the character of the discussion between the two great commercial parties, and from my own observations extending over a number of years.

A recital of some of the leading points made by the advocates of each great system, would indicate the necessity of some basis even for discussion, whether we have a basis for legislation or not. One following the discussions, will notice that American free traders allege that protection is the cause of the frequent recurrence of labor difficulties in this country, while English free traders allege that our protective policy causes English labor difficulties. Again, English manufacturers have in many instances said to me, when asking the cause of the silent looms and machines in their works, that they are rendered silent by our protective policy, at the same time in argument, they have always claimed that the application of their national policy in America would secure a far greater industrial prosperity in this country than has yet been witnessed. Again, it is claimed by the advocates of free trade that the wonderful industrial prosperity which has blessed the English people is due entirely to their policy of free trade, while all protectionists claim that the wonderful industrial prosperity which has blessed the people of the United States is due entirely to protection.

Two or three illustrations of these adverse claims may be necessary.

John Bright, who certainly is an ardent free trader, in his well known speech at Birmingham in June, 1883, on the presentation to him of an address and plate, at the Bright celebration, made a very careful review of the industrial condition of England now, as compared with what it was before the adoption of free trade. He showed by facts and figures which cannot be disputed, that wages were higher, that the condition of the workingman is better, and that the progress of the country during the period stated had been wonderful indeed, all which, he claimed, was due to the adoption of the principle of free trade. If you should turn from Mr. Bright's speech to the multitude of speeches in favor of protection made in the United States Congress during the last session, during the debate on the Morrison bill, or in speeches made whenever the subject of the tariff has been before Congress, or if you will refer

to any of the protectionist writers, or if you want something more easily reached, Mr. Blaine's letter of acceptance, you will find it claimed without exception that American prosperity is due to the protective policy of our government. One can pick up any of the pamphlets which are issued in advocacy of either of the two great principles, and find plenty of evidence of the truth of the statement I have made. Both these claims cannot be correct.

Again, it is alleged that the periodical stagnation or depression in American industrial enterprises is largely, if not wholly, due to protection, because protection prevents our manufacturers from finding a foreign market for their surplus goods, and that free trade here would prevent such recurrence, while the fact exists that in Great Britain, under free trade, the same conditions are met with, and that stagnation there when it does come, is as severe as any that we experience. The American and the English manufacturer alike demand extended markets for their surplus.

There is something in this besides the influence of free trade and protection.

The free trader urging the adoption of free trade in America in order that surplus products may be sold abroad, claims at the same time that "there are scores of profitable industries that cannot now be carried on in this country on account of the tariff, but would spring into existence as soon as it was removed."* On the other hand, the equally intelligent protectionist says in substance, there are scores of industries now carried on because the tariff does exist, that with its removal would be abandoned.

Which of these two propositions can be demonstrated as true? one must be false, but it is said by a prominent writer that the guarantee for the anticipations of the results of the adoption of the English system "is in a correct understanding of the laws of production and commerce."† Such an understanding would also settle the question relative to the extension of trade, so as to secure a market for the surplus products of both free trade and protective countries. I am afraid that the conditions of Prof. Sumner's guarantee cannot be accepted for many generations. Certainly not while eminent doctors disagree.

Again, it is claimed by ardent protectionists, that protection is the sole cause, or if they do not go so far, that it is the leading

* W. G. Sumner, in "North American Review," September, 1884.
† Ibid.

cause, of the advance of wages in America, while the free trader, on the other hand, claims that the advance of wages in Great Britain is due to the policy of free trade, while any careful investigation will show that there has been an advance in wages during the last fifty years in both countries, and that so far as the manufacture of textiles is concerned, the advance has been nearly equal under the two great commercial systems.* This one fact shows that the claims of each party as to wages is entirely without foundation.

The discoverer of the causes which regulate the rates of wages has not yet seen fit to give his name to the public. It is perfectly easy to discuss the question of wages in various lights, and to assume this, that, or the other cause as most powerful in their regulation, and yet, one rises from a study of such discussions entirely unsatisfied.

My friend, Mr. Atkinson, has come nearer to a satisfactory explanation than any other writer, or rather I should say, nearer to the practical demonstration of the best theory on the subject than any other writer. Probably President Walker has more clearly stated a theory which can be demonstrated than any of his contemporaries; but the great causes are still beyond such demonstration as will satisfy all men alike of their fundamental character. Certainly, the permanent influence of the tariff upon wages is a mooted question.

To be sure, the protectionist quotes the high wages of America to substantiate his ground, and he puts them in comparison with the lower wages of England; the free trader turns upon the protectionist, and while he admits the higher wages of America quotes the low wages of the protectionist countries of Europe in comparison with the rates paid in the free trade country of England. I have been waiting to see some writer go still further in the race, and quote the still lower wages of countries way down in the scale of civilization in comparison with the rates paid in the protective countries of Europe.

The free trader without being able even to hint at the proof of his assertion knocks the protectionist down with the statement that wages are high in America notwithstanding the tariff, and would be whether we had a tariff or not. The protectionist trips up the

* See chapter on wages in "Factory System," Vol. 2. Report on the United States Census of 1880.

heels of the free trader by his assumption that wages are higher in England than on the continent, without regard to the tariff, and thus each uses the other's arguments so far as wages are concerned to prove himself in a muddle, and we get no nearer the truth, and the whole discussion consists largely of assertions and assumptions.

Again, it is observed that nearly all the arguments in favor of either great system of commerce are usually based upon the same array of statistics, when statistics are used, and the student who does not care which system prevails but who is simply seeking the true one, concludes that, as a rule, the pretended arguments are mere assumptions, the assumptions being the results of the theory of the speaker or writer, and that the theory is usually the result of his relation to the industries of the country. That my own statement in this respect may not mark my own condemnation, and be considered a mere assumption, allow me to illustrate.

In a little work, entitled "Wages, Living, and Tariff," by Mr. E. A. Hartshorn, now prominently before the public, the results in the United States of the various tariff measures, or rather the results of the two systems of commerce during a period of seventy years from 1813 to 1883, have been summarized, and from this summary we find that the writer concludes, that under the free trade or revenue tariffs, as established in 1817, 1834, 1846, and 1857, labor was seeking employment, wages low, emigration declining, farm products low, manufactures high, revenue, public and private, small and decreasing, bankruptcy nearly universal, the national status one of growing dependence, and the national credit bad; while under the protective tariffs, as established in 1813, 1828, 1842, and 1861, labor was in demand, wages high, manufactured products low, public and private revenues large and increasing, public and private wealth increasing, the national status one of growing independence, and the national credit good; and the writer then remarks, "in the presence of these important historical facts, let the candid reader remember that the American people have never yet attained the best results of protection, nor the worst results of free trade," and further he asks this question, "if the results of partial protection to labor have been so satisfactory, and the results of partial free trade so unsatisfactory, which system shall we choose?"

In laying down Mr. Hartshorn's pamphlet, and picking up the

admirable treatise of Mr. Henry Loomis Nelson, entitled, "Our Unjust Tariff Law," we find in his chapter on "What a low tariff did for the country" the following statement:—"there never was a period of greater prosperity in the history of the country," and then he goes on with an elaborate and very carefully adjusted statement of facts to prove the correctness of his assertion, and concludes, while referring to the very tariffs which Mr. Hartshorn claimed were productive of so much evil, by saying, "no other decade, excepting that during which the country was blessed with a revenue tariff, has such a story of prosperity to tell as these ten years have stamped on our history. No other decade will have such a story to tell, until the Government ceases to tax four-fifths of the people for the benefit of a small fraction of the other fifth."

I have quoted these two little works to illustrate my point instead of quoting larger and more elaborate treatises, and perhaps more standard works, because these two that I have named are prepared with apparent candor and integrity, and are being widely read, at the present time, by the people, but the same features might be illustrated, and very fully too, from older and more standard works. Certainly, if we turn to the newspapers of the day, we find statistics relative to imports and exports, and the trade and productions of the country, brought into elaborate tables, and arrayed on either side, and if we did not know the tendency of the paper in which we found these arrays of figures, we should not know upon which side they were used as arguments, unless the writer was careful to announce his point.

The feat is constantly attempted of bringing diverse conclusions from the same premises. A recent writer * quotes the low interest at present paid for the use of capital in this country, as a demonstration that obstruction to imports or exports immediately acts to reduce the value of capital; but what has reduced the rate of interest in England? Our own rates of interest are now approaching the rates of interest paid in Great Britain. What has the tariff to do with it?

The same writer, with all the facts before him, concludes that the average rate of wages paid in American cotton mills, in proportion to the number of hours at work, is actually less than it is in England; and then, after arraigning the theories of his opponents, says, "that all these theories are the purest assumptions, not warranted by facts, and directly contrary to experience and

* Thos. G. Shearman, "North American Review," September, 1884.

reason." This is exactly the charge made by protectionists, and upon the same array of facts.

Another charge which is reciprocally made is, that "men whose minds have once closed with a good grip on a dogma, never give it up on account of facts of experience, or on account of absurdities into which it carried them."

All these attempts to secure antagonistic conclusions from a single premise, thoroughly illustrate the necessity of a scientific basis, not only for tariff legislation, but for tariff discussion.

With the one secured, the other follows. This necessity is further illustrated by a study of the rates of duty established by law, and when this study is made, it is no wonder that the tariff is declared to be a muddle. The table showing the excess of tariff duties over cost of labor, prepared by Hon. Thomas J. Wood, of Indiana, for use in debate on the Morrison tariff bill, is exceedingly valuable in this connection. By this table, it is shown that the smallest excess under the existing tariff is 5 per cent., and the largest about 80 per cent. A comparison of the wage statistics reported in the Fifteenth Annual Report of the Massachusetts Bureau of Statistics of Labor, where the percentage of excess of wages paid in Massachusetts over those paid in Great Britain in like industries is mathematically stated, with the rates of duties affecting the same industries, would show a discrepancy as large as that displayed by the table prepared by Mr. Wood.*

* The disparity between the average wages paid in certain industries in Great Britain and Massachusetts, and the average duty laid on the products of such industries, is shown in the following table:

Industries.	Average weekly wages higher in Massachusetts than in Great Britain, by percentages, as follows.	Average duty laid under existing laws. Per Cent.
Agricultural Implements,	15.8	35 to 40
Artisans' Tools,	141.3	45
Boots and Shoes,	166.1	30
Brick,	107.5	20
Carpetings,	47.9	49.78
Carriages and Wagons,	182.2	35
Clothing.	49.1	35 to 60
Cotton Goods,	38.4	38.3
Food Preparations,	260.7	20
Furniture,	38.7	35
Glass,	76.9	25.2 to 68.5
Hats,	99.8	35 to 50
Hosiery,	39.0	40 to 55
Metals and Metallic Goods,	52.0	45
Printing and Publishing,	106.0	25
Wooden Goods,	115.0	35
Woollen Goods,	42.0	64
Worsted Goods,	103.3	49.8

These two statistical illustrations show most forcibly the necessity of a scientific basis, so far as arguments drawn from like premises are concerned.

Again, one party asserts that the people are robbed through the action of the tariff, that the manufacturer may gain wealth; while the other side as strenuously asserts that the manufacturer gains nothing beyond his legitimate due, and that the payment of taxes for the support of the national government through consumption is the easiest method for providing for our national budget. One of these propositions must be false, and the proper basis for tariff legislation would prove which one is false.

Finally, the necessity of such a basis as I have indicated is proven, because no adequate data exists for determining the indicative points presented.

Third. If there is a necessity for a scientific basis for tariff legislation, how can it be reached?

Such a basis can be reached only through a knowledge of all the facts bearing upon the question, and these facts have not as yet been classified. They may have been collected in part and exist in fugitive condition, but as yet without thorough classification. To reach this classification, I submit four propositions:

PROPOSITION I. *a.* There should be a classification of all articles on which a duty is now laid, and the rates on each article.

b. There should be a classification of articles on which duties are now laid, showing those articles, the duties on which are intended for protection, and those on which the duties are laid simply for securing revenue.

c. A classification of such articles as are produced in this and other countries, and in what countries.

d. A classification of such articles as are produced in other countries only, and in what countries.

e. A classification of duties imposed upon such articles under the various tariffs.

f. A classification of what may be termed natural industries of the various countries, in competition with the United States.

PROPOSITION II. *a.* A collection and classification of data relating to the composition of the product of all leading articles named in Proposition I, and showing the percentage of labor, raw material, etc., entering into the product in each of the leading

countries where such articles are produced, such data to be collected entirely from original sources.

b. The collection and classification of data, showing the cost, including all elements up to the selling price of such articles in the leading countries where they are produced, such data to be collected on samples as far as possible.

c. A list of jobbing and retail prices of all such articles in the countries where produced.

d. The cost of importation of such articles as are produced in countries abroad.

e. A list of jobbing and retail prices in this country of such articles.

f. The jobbing and retail prices of like articles produced in this country.

g. A summary of prices of such articles with and without duty charges, and under various tariffs so far as possible.

[This proposition involves rates of wages paid, in the industries involved, in various countries, the efficiency of labor in the countries involved, the capacity of machinery and all other elements affecting cost of production; and the mathematical working out of the results of the proposition, would show exactly what consumers of articles imported and produced here pay for goods on account of the tariff, and what they would have to pay if no duty were laid on the articles named. It would also enable one to find that rate of duty absolutely essential to place the American producer on an equal footing, and on the same footing, so far as goods offered for sale in our markets are concerned, with the foreign producer, the foreign producer having thereby no advantage in this country that he would not have were his works located here. With such a rate in our leading industries, which would be a mathematically correct rate, duties could be levied on that rate, or above it, or below it, as the exigencies of the country might demand, but the people would know the exact point, and that a duty laid above it would be for protection as well as for revenue. If the rate were laid exactly on the rate mathematically determined, then the consumer would know that he was paying the same for his goods that he would pay were there no foreign manufacturers of the same goods in existence. If a duty above this mathematical point were laid, the consumer would know that he was paying something towards the running expenses of the government, and that at the same time he was aiding in the exclusion of foreign products.

The working out of this Proposition II, would also enable the United States Government to adopt, with regard to every leading industry, the well established principle adopted by the British Government, and as at present practised by that Government, of laying a duty on the importation of certain articles on which an excise tax is laid at home, so that the importer shall have no advantage over the home manufacturer on account of the excise tax paid by the latter.]

PROPOSITION III. *a.* A classification of data, showing the amount of tax paid by consumers on account of tariff, such amount to be shown by means of budgets of annual expenses of families in various grades of life.

b. Data showing what a "per capita" tax would be on the basis of our national expenses, should the revenue be raised by such a tax.

c. Data showing what a property tax would be on the basis of raising our national revenue by such a tax.

d. Comparative statistics giving the results of the data as to the three methods, namely, per capita, property, and an import duty method of raising our public revenue.

[The working out of this proposition would show which method would bear the lightest and the most justly on the people, and it would also show what grade of consumers, using the word grade with relation to annual expenses, bears the tax burden chiefly.]

PROPOSITION IV. A statement of the preceding propositions, mathematically wrought out.

These propositions embody only the leading features of what I should call a basis for securing the proper information for ascertaining a rate of duty in each industry which should equalize the advantages and the disadvantages of foreign and domestic producers, and the process of taxation by which the consumer should be justly taxed, and by which he should know whether he was being justly taxed or not.

If a single illustration of the point I would attain, with regard to each leading industry, is required, it will be found in the supposition, that if in woollen goods, after the collection and analysis of the information I have indicated, and all other information relative thereto, it should be found that the American producer of broad-

cloth stands at a disadvantage of $1.00 per yard as compared with the British producer of the same kind of goods, then a tax of $1.00 per yard would simply place the foreign and American producer on an equality; in other words, the American manufacturer of broadcloths, if a tax of $1.00 per yard were laid on his product, would have no inducement to abandon his factory in America and set it up in England. If the tax of $1.00 per yard were not laid, it would be for his interest to abandon his factory in America, and move to England, or to Canada, or out of the country somewhere, where the same conditions which give the foreign producer the advantage of $1.00 per yard, exist, and there set up his works. Having a tax, exactly and mathematically determined, as essential to place the foreign and domestic manufacturers on an equality, the consumer of broadcloth is simply aiding in preserving that equality when he purchases broadcloth, and through the duty which he pays, he is not enabling the manufacturer to ask any more for his yard of broadcloth than he would if no duty were laid. The revenue is preserved and no advantage given to the American producer, nor is he placed at a disadvantage through the location of his factories in this country instead of in some other. If now Congress wished to protect the American manufacturer of broadcloth, that is to say, put him in a position where the foreign producer of the same goods could not compete with him, then any tax or rate of duty on broadcloth above $1.00 per yard would be essential, and he could ask a higher price for his goods on that account, and the home consumer could purchase the foreign article if he chose, although it would be enhanced in price on account of the duty beyond the one dollar. The distance beyond the $1.00 per yard of the duty laid upon broadcloth would determine whether the duty was a protective one or a revenue duty only, and the public would know exactly what kind of duty it was paying.

The result of this illustration if it could be applied to all leading articles would soon define the lines of the parties in this country, and would soon determine the question of how far a tariff shall become protective. Do not misunderstand me in the use of the word protective, I use it in its literal sense, that the protective duty excludes foreign products. The consumers, under the basis I have indicated, would clearly understand the question.

One of the chief advantages of determining mathematically the

rates essential in each great industry to the preservation of quality between the domestic and foreign producer would be in the wise adjustment, or rather, extension of the free list; that is to say, with the results of such a basis we would know exactly what articles could be placed upon the free list without injury to the domestic producer.

The great question of the reduction of the surplus revenue, which now disturbs the minds of the people, would be easily settled, or at least the surplus could be so adjusted that it would not be a source of anxiety to those who see in the accumulation of surplus, a danger far exceeding that attending a great indebtedness.

One of the chief results, and to my own mind the most just result of legislation upon such a basis as I have outlined, lies in the fact that all articles would be taxed with perfect fairness and equality. I cannot better illustrate this than by quoting from J. B. Sargent's recent article on the "Evils of the Tariff System," found in the September "North American Review:" "No article is entitled to a higher tariff for protection than any other, or, in other words, the people should not be compelled by the Government to pay to the producer of any one article, a greater percentage of extortion than is paid on another. In all cases where one article has a higher rate of tariff than another, either no attempt to produce the higher rate article should ever have been attempted in this country, or there was improper and unholy scheming by, and favoritism to, the producers or manufacturers of it."

The morality of this proposition cannot be controverted.

A further advantage of correctly adjusted duties lies in the ease with which they are readjusted. Under the conditions indicated, a bill for the horizontal readjustment of rates would be logical.

I am perfectly well aware, that as regards some industries, the attempt has been made, on a limited scale, to apply the force of the facts especially to the correct adjustment of tariff rates. This has been notably so in this country in the woollen industry; but, even here the application has been only one of degree.

I am also aware that the carrying out of the propositions laid down would involve on the part of Congress quite a large appropriation. I believe all the data indicated could be collected, classified, and each rate mathematically wrought out at an expense not exceeding $50,000, but the expense, even at $100,000, would

be productive of far greater good than has been secured by much larger appropriations for similar purposes, but without similar motives.

I cannot, of course, say where an investigation of the nature indicated, would lead politically, whether it would aid the party of Free Traders, or the party of Protectionists; but I am of the opinion that it would lead to a discovery of rates which would be mathematically and scientifically correct, and morally just to all. The working out of the propositions laid down must be done fearlessly and without regard to results, for the necessary investigations should be made with a patriotic view of benefiting the consumers and the producers, without reference to individual interests.

I am sure there is nothing chimerical in the scheme; on the other hand, I am sure, from the necessities of the case, that with such a basis as I have indicated, or any other which will secure the results which I think this would secure, the tariff question would assume a simplicity in its constituent elements which would enable all men to understand it, and which would secure its early and final removal from the politics of the country. Certainly these are results to be desired by all patriotic citizens.

II. THE FINANCIAL STANDING OF STATES.

BY PROF. HENRY C. ADAMS, OF CORNELL UNIVERSITY.

(Read Wednesday, September 9, 1884.)

One of the most curious chapters in the history of American financiering pertains to the second period of State indebtedness. This period covers the years from 1830 to 1850, and receives its peculiar character from the fact that States undertook financial operations of a business nature. It is not, however, mere curiosity that leads one to study this chapter of local financial control, for it is full of pertinent suggestions, and is capable of throwing somewhat unaccustomed lights upon certain questions of current interest. My plan of treatment, in the present paper, is not at all ambitious, since it extends no farther than an orderly statement of the general facts, together with an explanation of the relations in which they stand to each other. In this manner, it is believed, the true meaning of the period will stand forth, for facts orderly arranged will the best interpret themselves.

After the assumption by the Federal government of those local obligations incurred during the progress of the Revolutionary war, the States as political sovereignties, made no extensive use of public credit previous to 1820; nor was it until some twelve or fifteen years later that they appealed lavishly to this source of revenue. How lavishly this appeal came finally to be, appears from the figures which show the growth of local debts. During the ten years following 1820, public stocks were authorized in the various States to the amount of twenty-six millions of dollars, of which nearly eighteen millions were held against the three States, New York, Pennsylvania, and Ohio. Between the years 1830 and 1835, forty millions more were added to the obligations of the States, while the three years previous to 1838 witnessed an increase of local indebtedness to the amount of one hundred and seven millions of dollars. The total liabilities resting upon the States in the year 1843, including both direct and floating debts and loans of credit, reached the sum of two hundred and thirty-one and six-tenths millions of dollars. These figures, it is true, may not appear excessively large at the present time, accustomed as we are to speak and think in millions, but at that day, before

the system of public debts had been generally developed, and before men had adjusted their habits of thought to concentration of capital, they excited the alarm of all citizens. Nor will it be inappropriate in this connection to remark, that it is not the magnitude of an operation that renders it interesting to the student, but its position in the general development of a peoples' life; so with regard to this period of financial control, it is not the amount borrowed that commands our attention, but the consequences rather of the fact that local governments borrowed at all, and the far-reaching influence of that policy which led the States to assume control of great public enterprises.

What, then, are the specific questions, an answer to which will lead to a satisfactory understanding of this chapter in local financial history? They must be such as will lead to the heart and life of the period. They must call for a clear explanation of this unwarranted expansion of liabilities. They must discover to us the purpose for which such large sums of money were borrowed, and the political idea in harmony with which States were induced to assume these extended obligations. But more than this is required. A complete understanding of the period demands an explanation of the fact that men with money were willing to place it at the disposal of the States.

After the crash came, which followed closely upon such a lavish use of credit, and they who had loaned money found themselves without security, complaints were loud and censure was severe. A quotation from the *London Times* well illustrates the feeling engendered: "America," says a writer in that journal, "is not the country it is cracked up to be; too many speculators and gamblers,—indeed, to be plain, I look upon it, from Maine to Florida, as one vast swindling shop." Yet a swindler is impossible without some one who is willing to take risk of being swindled. A period of expanding credit means eagerness to lend as well as to borrow. To understand this period, therefore, one must discover also the source of that confidence which was granted without question to the States.

In following out the line of study suggested by these queries, the first fact to which I would call attention, is neither financial nor industrial, but political. The year 1830, which marks the rise of the borrowing period among the States, witnessed the reversal of certain political tendencies, which, up to that time, had main-

tained in national affairs. The spirit of ultra democracy proved to be in the ascendancy, and many measures were adopted by the dominant party, the purpose of which was to weaken the administrative power of the central government. It was as a subordinate part of a general policy that the States were brought into the foreground and imposed with new duties, and it was through their response to demands made upon them that they became financially embarrassed.

What is here intended may be clearly perceived if one will pay some little regard to the notion of local government as it appears in the development of national politics. Political parties in this country arose out of the controversy respecting the adoption of the constitution. The point at issue was the following: — Is this constitution a national or a Federal instrument? Will it ultimately result in the establishment of an Empire or a Republic? The story of the manner in which the name Federalist came to be the name of the national party is interesting, because it shows what must have been the ruling sentiment of the people in the years 1788 and 1789. It was tacitly admitted that an anti-Federal constitution could not be adopted. At first, the anti-adoptionists called themselves Federalists, as showing the ground of their opposition to the proposed government. Their opponents saw the strength of this position and the power of their party cry, and with true strategic insight, determined to capture the name. The whole argument, therefore, ranged about the question as to which party truly represented the Federal idea. The result is familiar. The anti-adoptionists were driven from their stronghold; they first assumed the name of Federal-Republicans and then of Republicans. This is the party properly regarded as the historical progenitor of both Jeffersonian and Jacksonian Democracy.

The first three administrations were under the control of those statesmen who had persuaded the people to accept the Constitution. Their tendency was naturally toward consolidation of power and an enlargement of the duties and functions of the central government. No one can deny that this was the result of the first twelve years of national life, while many may be found ready to defend this tendency as an inevitable and a just policy. In the treasury department, indeed, a method of doing business was adopted which no House of Commons would have tolerated since the time of William III. In 1801, the Republicans came to power, but

such was the condition of foreign affairs that they were unable to redeem their campaign pledges and restore to the States any of their lost importance. Their tax reform counted for nothing, while the Louisiana purchase showed that the trend of events toward adequate nationality was stronger than the avowed purpose of a party. Nor must it be forgotten that Albert Gallatin, the guiding member of the Jefferson cabinet, was a statesman of broad and national policies. This is evidenced most strongly by his grand scheme of internal improvements which he hoped to realize through the agency of the Federal treasury. Then came the rise of the war party, and the establishment of the "American system" of protection, both of which worked to the detriment of the States and increased the relative importance of the central government. During the years following the second war, let us say from 1818 to 1828, the centralizing forces appeared sufficiently strong to occasion grave apprehension, and in consequence there arose a conscious reaction against them. The opposition thus engendered proved to be of two sorts. The one found expression in the metaphysical doctrines of Calhoun, the other in the practical measures of Jackson's domestic policy. It is this latter with which we are especially concerned, for it was in harmony with Jacksonian ideas that the States again assumed the rôle of practical administrators and became the centres of public activity. The policy of decentralization adopted in 1830, was extremely simple, consisting as it did in throwing certain duties previously performed for the States by the central government, upon the States themselves, thus granting them the chance to work out their own political integrity.

It appears then that after local quiet of more than forty years, the State governments again found themselves the centres from which all important measures of public domestic policy must proceed. The dominant political ideas were such as to encourage an extension of local activity, and the conception of corporate or private management had not developed sufficient strength to assume control of certain great enterprises which the times demanded. The States were thus forced into a prominent position.

What I present here as the second step in explaining this period of local indebtedness, may perhaps be regarded as a mere illustration by specific example of that which has just been stated, but it possesses also an independent and direct importance since its purpose is to show the objects for which the States borrowed money.

Previous to 1830, the United States government had maintained a partial control over two lines of activity which not a few regarded as reserved by the Constitution to the several States. Thus the establishment and maintenance of currency other than coin—or, in other words, the control of a national bank—was believed by many statesmen to lie outside the delegated powers. With the exception, however, of the years intervening between 1811 and 1816, the United States had been stockholder in, and in large part manager of, an extensive banking concern, through the medium of which the currency of the country had been for the most part controlled. The other line of activity which the central government entered upon to some extent and desired to follow out yet more intensely than in reality it was enabled to do, pertained to the establishment of inland highways of commerce. The original incentive to this was political. Thus Washington clearly saw that a country of such vast extent and variety of territory as that ceded by Great Britain, could not be held together except by community of interests between the various sections, and that this community of interest could only arise from easy and continuous intercourse in trade. His own words will show how strongly he felt on this point. "I need not remark to you," wrote he to the Governor of Virginia, "that the flank and rear of the United States are possessed by other powers, and formidable ones, too; and how necessary it is to apply the cement of interest to bind all parts of the Union together by indissoluble bonds—especially that part of it which lies immediately west of us with the Middle States. For what ties, let me ask, have we upon the people (in the Mississippi valley)? How entirely unconnected with them shall we be, and what troubles may we not apprehend, if the Spaniards on their right, and Great Britain on their left, instead of throwing stumbling blocks in their way, as they now do, should hold out lures for their trade and alliance? What, when they gain strength (which will be sooner than most people conceive, from the immigration of foreigners who will have no predilection for us, as well as the removal of our own citizens), will be the consequences of having formed close connections with either or both of these powers in a commercial way? It needs not, in my opinion, the gift of prophecy to foretell." The Western States, he went on to say, "hang on a pivot," and to turn their thoughts Eastward rather than Southward,

he proposed that easy means of communication be provided between the two sides of the Appallachian mountains.

It is quite natural that the conception of public improvements which sprang from the idea of nationality, should find ready acceptance with men infused with national sentiments. Even the plan which Gallatin presented in 1807, according to which twenty millions of dollars were to be maintained as a revolving fund for building highways of commerce, was, to say the least, far-reaching in its tendencies, although intended to be in harmony with the recognized rights of the States. During the years previous to 1830, it will be remembered that one of the great questions of national policies was the building of canals and wagon roads. A national board of Internal Improvements had been established, national surveys were being carried on, and had not certain questions that imperilled the general safety forced themselves upon public attention, we should now have been able to write the experience of national improvements actually undertaken. According to Benton, "the candidates for the presidency spread their sails upon the ocean of internal improvements." As early as 1824, when Monroe placed his veto upon the Cumberland Road bill, the sentiment favoring internal improvements was general, and became more intense through the administration of John Quincy Adams. Many, however, believed that no warrant could be found for this duty in the Constitution. This was the burden of the veto message. Said Mr. Monroe in that document:—

"It is of the highest importance that this question be settled. (That is the question as to whether Congress had the right to manage roads running through the States.) If the right exists, it ought forthwith to be exercised. If it does not, surely those who are friends to the power ought to unite to recommend an amendment to obtain it."

The culmination and the break of this movement appeared in connection with the Maysville Road bill. Jackson's veto of this bill gave expression to an idea respecting the proper placement of authority, which had come into control by the election of 1828. The programme adopted was one of negative action. Congress was prohibited from doing many things which before it had undertaken or desired to undertake, and these duties were thrown on the shoulders of the States. They were of such a nature as to call for a large amount of ready money, and this demand was the oc-

casion for the employment of local credit. The Southern States borrowed to establish banks, and thus "create capital" for those sections; the Northern States, on the other hand, were more deeply interested in public highways of commerce, and made this the occasion for entering upon debt financiering.

Now, to my mind, it is of some importanee that this relation between what may be termed the national and the local theory of internal improvements be clearly recognized, for then only can one understand the unbounded enthusiasm with which the local governments went into the business of supplying the country with canals and roads. It seems that the strength of this enthusiasm had grown up under the fostering eare of the Federal power, or at least under the leadership of some of the most prominent Federal statesmen. Nothing of importance was worked out in this manner, because of the question of constitutional right; but the movement toward public works under governmental control was by no means ended, because Congress was obliged to abandon the field of direct control. The agency only was changed. The State Legislatures now took the place of Congress, having received, by bequest as it were, the duty to fulfil the wishes of the people, which had for so many years been encouraged by the central government.

The change of policy about 1830, here referred to, was recognized by those who had to do with shaping public affairs. Thus the Hon. Charles Francis Adams, writing in 1840, upon State debts, says: "The Americans are proverbial for never being discouraged. If they cannot carry a point directly, they manage to do it by some round about way. They were determined upon improving the communications between the seaboard and the interior. A very large number of them thought it best that this should be done under the superintendenee of a common head, and they proposed a method of action accordingly. But the extent of it excited the apprehensions of a still greater number, and they refused to adopt it. According to them, the business could be only entrusted to the care of the separate States upon whom it in the end devolved. The consequence has been the outlay of quite as much money, if not a great deal more, than would have been expended on the other plan."

It will not be necessary for us to tracc the growth of this movement in the various local centres. Sufficient is it to say that the States, as a rule, entered upon the work of supplying public high-

ways with an unbounded enthusiasm, and projected schemes absolutely absurd in their magnificent extravagance. One specific illustration is worth many general statements, and for that reason I venture to present the plan as it was adopted by the Legislature of the State of Michigan.

Michigan was admitted into the Union in January, 1837, and it might be imagined, from the proceedings of her early Legislatures, that the one great purpose for which she sought the privileges of a State was, that she might build canals, railroads and turnpikes, and improve rivers and harbors. The Legislature, in its first session, appointed a "Board of Commissioners on Internal Improvements," and directed them to take the necessary measures for executing the following public works: They were to survey three lines of railroad across the State,—called, respectively, the Southern, the Middle, and the Northern routes, and one shorter road, called the Havre Branch Railroad. They were also to undertake three important canals,—the Clinton, the Kalamazoo, the Saginaw or Northern, and a canal about the St. Mary's river. In addition to this, the Grand, the Kalamazoo, and the St. Joseph rivers were to be improved. The total extent of these works entered upon by the first Legislature amounted to 1,100 miles of highway, of which 557 miles were to be railroads, 231 canals, and 321 improvements of rivers. The population of the newly admitted State was at this time 175,000, from which it appears that the Legislature projected one mile of improvement for every 150 of the inhabitants, which, upon common averages, gives one mile for every thirty votes. Besides these improvements under the direct control of the State, there were in existence, in 1837, twenty charters to private companies for the building of railroads. The extent of lines proposed by these companies was 930 miles, from which it appears that there was over 2,000 miles of commercial highway projected before the State was a year old, and this estimate does not include turnpikes. Some idea of the appropriateness of these plans may be gained when compared with the amount of railroad facilities which the settled experience of the State shows to be adequate to present demands of commerce. In 1881, with a population of 1,650,000, there were but 3,306 miles of road-bed, being one mile for every 500 inhabitants, or every 100 votes. Certainly Governor Barry was correct when, in 1842, referring to this great scheme of internal improvements, he said: "The system so called was

altogether beyond our means, and, indeed, embraced projects of improvements that were not at the time required by the public good."

Such plans as these of the State of Michigan (and Michigan was by no means peculiar in her enthusiasm for internal improvements) do not find adequate explanation in the withdrawal of the Federal government from the direct prosecution of public works. These schemes were magnificent; the years following 1830 were entranced by their own dreaming; the States undertook to perform the impossible, while the legacy of duty which they received from the central government was moderate and rational. The change of policy in 1830 must, as it appears to me, serve as the background upon which all other facts are thrown, but there came at this time a constellation of forces, partly independent and partly the outgrowth of this new policy of Democracy, with which one must acquaint himself in order to complete the full explanation of this second period of local borrowing.

1. In the first place, the States received direct assistance from the general government in money and lands. Not only did Congress give up all claims of active control in matters of inland commerce, but that body donated also the surplus revenue of the national treasury and a percentage upon the sales of all lands to form a fund with which the States could carry out their plans of public works. These moneys formed by no means an insignificant sum in the eyes of the people to whom local debts proved to be the most disastrous. In Michigan, for example, the experience of 1836 gave every reason to hope large things from the funds established by the Federal government. One fourth of all the lands sold in the United States during that year were situated in Michigan, and that was the year in which the public lands were the source of greater revenue than ever before or ever since. The average revenue from this source is from one to three millions of dollars; in 1836 it was twenty-five millions of dollars. Thus, standing on the verge of the year 1837, those who controlled the policy of this State saw coming into the treasury $280,000 from surplus revenue, and $175,000 from their percentage on land sales. There was no precedent for such extensive sale of lands, and it is not surprising that this young State indulged in dangerous optimism, not distinguishing between purchases for speculative and for settlement purposes, and not recognizing that these immense

real estate dealings were one of the evil results of the financial policy of the central government. What happened in Michigan happened in other States, and there is no question but that the assistance of the general government, coming at the time when it did, is largely responsible for the carelessness with which local obligations were incurred.

2. But again, the invitation to embark in great public works was especially alluring during the three years previous to 1838, in which the larger part of local debt was created, on account of the process of inflation through which the currency was passing. With the downfall of the National Bank, an era of unsecured paper money ensued. The rapidity with which inferior instruments of exchange grew, upon the reversal of the national policy, may be seen from the following figures giving the notes in circulation, the deposits and loans of the banks. Certain years of interest to us in this connection are alone presented:

	Circulation.	Deposits.	Loans.
January, 1830, . .	$61,324,000	$55,561,000	$200,451,000
" 1835, . .	103,269,495	83,081,000	365,163,000
" 1836, . .	140,301,038	115,104,000	457,506,000
" 1837, . .	149,185,890	127,397,000	525,115,000

This most certainly indicates a period of inflation, and all the results of inflation familiar to the student of economy followed in their most intense form. Values were radically disturbed; fictitious profits were regarded as real, and this apparent success of moderate endeavors led men to enter boldly into great undertakings; land speculation was especially excessive, for it was believed that the "vast West" was to come immediately into the market. It is not too much to say that these were years of business insanity. Cool judgment had for the time lost control, and men acted upon an impulse which they themselves were unable afterwards to understand. The enthusiasm of legislators, therefore, was not at all peculiar to State management; it was merely one of the manifestations of the general enthusiasm of the times. I have collated with some care the enterprises projected by the Legislature in one of the Western States, and those set on foot by private parties,—and I do not hesitate to say that, whether judged from the standpoint of results or of business probabilities, the State authorities showed greater foresight and greater business conservatism than did individuals. The intimate relation between an inflated currency and the projected improvements in the State of

Michigan, is well told by Governor Barry in his message of 1842: "The conception of the plan on a scale so magnificent," said the Governor, "is to be attributed to the erroneous opinion of wealth produced by a too redundant paper currency. The system was altogether too extended for our wants, and required expenditures beyond our means. It was projected at a time when things were too often viewed through a distorted vision. Property had assumed fictitious value; national as well as individual revenues were greatly over-estimated, and the minds of men had become inflated by imaginary success in the acquirement of wealth. Individuals embarked with confidence in enterprises which they now regard as extravagant and visionary. The spirit of the times, unfortunately, became the governing policy of States, and Michigan, with a population then less than two hundred thousand, inhabiting a territory new and recently settled, with few immediate resources but her credit, projected a system of internal improvements which would have been a grand undertaking for the oldest and most wealthy States."

3. The programme of public improvements adopted by the several States which led to the extensive employment of local credit, finds further explanation in a fact not at all connected with any policy of the central government. It is usually the case that a wide-spread enthusiasm for any industrial enterprise is imitative rather than original. This is most certainly true of the period we are now studying. The State of New York must be regarded as the pioneer in matters of public works, and the financial and commercial success of the Erie canal exerted no slight influence in leading other States to believe that a like success awaited every enterprise. This highway of commerce was finished in 1826. It immediately became a source of revenue, and proved that the statesmen who urged it upon the people were wise counsellors. Nor was it alone the final success of the enterprise that worked upon the imaginative optimism of other localities, but the accuracy of the calculations also induced men to place great confidence in enterprises similarly managed. In 1826 it was estimated that the debt incurred in building the Erie canal would be expunged in the course of ten years' operation. The figures upon which the conclusion rested are the following. On the side of receipts, the annual income was:

From tolls, ...	$700,000
From auction sales, ...	250,000
From salt duties, ...	170,000

Chargeable to the revenue which was applied to canal management and debt payment, there was:

Interest on the debt,	$410,000
Expense of repairs.	100,000

leaving a yearly debt appropriation of $610,000. Upon the basis of these figures, the debt would be discharged in ten years, and the result of the management of the enterprise showed the calculation to be correct within six months. It was, perhaps, the successful management of this New York enterprise, more than any other one thing, that occasioned the outburst of enthusiasm in favor of local improvements.

There is, however, another fact worthy of attention in connection with the Erie experiment. Previous to the completion of this highway of commerce, the city of New York, like the cities of Boston, Philadelphia and Baltimore, had been a local village, draining the country naturally dependent upon it; but, with the completion of the canal, it at once became a port of importance to the entire country west of the Alleghany mountains and north of the Ohio river. The interests of Philadelphia and Baltimore were placed in jeopardy, and those cities, together with the States in which they are situated, at once undertook protective measures by pushing vigorously their own schemes for inland commerce. Then began that struggle between the seaboard cities for commercial supremacy over the West, which has become more and more intense even to the present time, an essential result of which is the perfecting of commercial facilities. The point which I wish to make is this: About 1830, men in the East were for the first time coming to realize the great possibilities of the West from a commercial point of view, and the rivalry between the various sections of the East to secure to themselves the benefits of the trade which was sure to spring up, induced men in these sections to lend freely to those enterprises which would be of especial advantage to themselves. It was under such encouragement, and because the idea of corporate control had not yet been sufficiently developed, that the States were led to freely mortgage their sovereign credit for pushing public works.

I have thus endeavored, in the foregoing pages, to suggest the active forces which gave character to the years of local control between 1830 and 1840, and it is believed that, taken in their

relation to each other, they furnish an adequate explanation of the excessive employment by the States of their sovereign credit. The States borrowed money to build public highways. That public highways should be built was one of the imperative demands of the times. That the States should undertake this work rather than the central government or corporations, was the result of this historical accident, — that the call for inland improvements came just when, in the development of political ideas, there had been a reaction against the policy of Federal administrative control, and before the doctrine of *laissez-faire* had in this country produced any results except in matters of foreign commerce. The general confidence in the States which led men to place money freely at their disposal, was in part merely an expression of the general confidence of the times; in part an indirect consequence of the easy payment by the Federal government of its debt; and in part because men saw in the public improvements which the States were undertaking, an additional advantage beyond that of a mere investment of so much capital. All these forces taken together made up the atmosphere of the times, which, to say the least, proved very invigorating to those who breathed it.

We need not arrest our attention at this point for the purpose of any detailed statement respecting the failure of these grand schemes for local improvements. That most of them were the source of immediate disappointment, is known by all who are in any way acquainted with the period. The two hundred and thirty millions of debt resting upon the States, unsecured by any property at all adequate to support such a burden, is evidence of general failure. Had these enterprises been set on foot by private corporations, they would have been placed in the hands of a receiver, or the individual members of the corporation would have availed themselves of stay-laws and bankrupt laws; but since they had been projected by States, and since the sovereign credit of the States had been placed in bond, nothing remained but to throw upon taxes the deficits of the business. This brought the failure of the policy home to the people with great force. In the State of Michigan, for example, the rate of taxation for county and State purposes was but seventy cents per capita,—while the interest on the debt arising out of the public improvement experiment, would have demanded one dollar and thirty-five cents per capita, had it been paid. Or again, the helpless and childish tone with which

some of the States came back to the central government for aid, asking Congress to play again the rôle of the first Empire and relieve the States of their just obligations, indicates the completeness of the failure of this second period of local debt financiering.

It is of much more importance than a portrayal of the details of the crisis in the various State treasuries, that we learn what the immediate result was of the failure of these financial schemes, and in what manner the difficulties into which the State treasuries fell, influenced later development. It cannot be otherwise than that such an important chapter in local history should have sown seeds of which we now are reaping the harvest; it is pertinent, therefore, to inquire what the permanent influence of this period of activity has proved to be.

The immediate consequence of these disasters is not far to seek. A reaction took place in public sentiment respecting State control over public improvements, and as is usually the case, it showed a strength proportional to that against which it was aroused. As the people had driven their representatives to enter upon internal improvements without caution, so when taxes began to press they censured them without justice and disowned their policy. This reaction was complete and irresistible, and one may discover now in the structure of industrial society two facts that are traceable to it. Thus in the first place, the withdrawal of the States from the domain of internal improvements marks the rise of corporate power in the United States. As in 1830 the Federal government abandoned the thought of direct control over remunerative public works, giving up this field of activity in favor of the local governments, so during the years from 1842 to 1846, a revulsion of sentiment turned all this business over to individuals. So far from realizing the programme of Jacksonian democracy, according to which the States were to recover their administrative importance, this experiment resulted in the establishment of a new power, which exercised truly sovereign functions, but which was unknown to earlier statesmen. The rise of the corporations marks the third period in the history of inland commerce. The material advancement of the United States during this period, no one can, nor does one care to deny; yet the industrial, the political, and the social influences that have been introduced into national life by the unprecedented growth of corporate power which has accompanied this development, are the occasion for grave apprehension. Under

the guidance of this third policy, cities have been unnecessarily crowded, real estate values have been arbitrarily distributed, a social dependence is being introduced, not surpassed, in its evil tendencies by any previous form of servitude, politics are being run in the interests of profit to those already gorged with profit; while, from the political point of view, it is to the encroachment of these corporations, as much as to the centralizing tendencies of the Federal government that the present impotency of the State governments is due. It thus appears that the financial crisis of the State treasuries was a turning point in the development of national life.

In the second place, this failure of the internal improvement programme threw the country into what may be properly termed a constitutional panic. One at all acquainted with the business management of great enterprises, under the present credit system, knows the intimate relation that exists between the improvement of commercial highways and the contracting of debts, and that a curtailment of the borrowing power is a stricture upon any direct control by the State over canals and railroads. A study of the various constitutions will show that previous to 1830, no State in the Union was prohibited in any way from an employment of its credit; at the present time, however, there are but three States whose constitutions do not limit in some way the power to borrow money. Michigan and Arkansas, which were admitted into the Union at the time that the public improvement fever was at its height, incorporated into their constitutions a clause making it the duty of the legislatures to establish a system of public improvements. In this fact there is disclosed the spirit that ruled the entire country, for the sentiment that spoke in these cases through the general conventions of the people, found expression in other States in current elections. But with the reaction of opinion, these local laws were changed. In 1848, and the years following, the new constitutions, as well as amendments to the old ones, quite generally prohibited the States from having anything to do with remunerative works requiring capital. This finds direct expression in the organic laws of Wisconsin, Minnesota, and Michigan, while many constitutions by curtailing the power to contract a debt, render it impossible for the States to incur those business obligations necessary for the economical prosecution of great works. It became the general cry that public works should

be carried on by private enterprise, and to secure this, the States were prohibited from interference. The direct connection between these two theories of control is the best illustrated in the modification of the constitution of Illinois. Illinois had endeavored both State banking and State improvements, and had failed in both. In her constitution of 1848, she retained the clause that internal improvements should be encouraged, but with this significant qualification, — this was to be done "by passing liberal laws of incorporation for that purpose"

We have now reached a point at which the suggestions of our study begin to crystallize about a very important question of political organization. I have called this paper "The Financial Standing of States," and the pertinency of the title now appears. The fact is, that the States at present have no standing whatever in the financial world. They are totally ignored in all those departments of activity where control over capital is the test of power. Yet it is well known that real power lies with the possession of money, and it requires no very extended system of reasoning to come to the conclusion that, until the States are relieved from the restrictions upon the employment of their credit now embodied in their fundamental laws, they are entirely out of the race so far as actual administration of affairs is concerned. They are sovereign, but their sovereignty is an empty name, since they have no power to perform sovereign administrative acts. The two statesmen whose public careers have worked together to bring about this result, held totally opposite views of public policy. Alexander Hamilton, by nature an imperialist, believed in concentration of power under the national government, and subordinated all considerations to secure it. Andrew Jackson, whose character was a curious union of nihilist democracy and personal tyranny, changed violently the drift of sentiment, and set in motion those forces which brought disaster to the local authorities which he intended to build up. The success of the Hamiltonian and the failure of the Jacksonian policies worked both in the same direction; through both has the sovereignty of the States suffered. But among active peoples, power of control must reside somewhere, and in consequence, the outcome of it all has been, that as the States receded from public importance, the central governments and the corporations, each in their sphere, have come forward and assumed the abandoned control.

There are many who look upon this result as natural, necessary, and defensible. Perhaps the majority of men in this country, in their blind optimism, believe that the control of public officers should be restrained within the narrowest possible limits in all matters pertaining to domestic affairs. Such persons claim that the result of State management, as it appears in the years from 1837 to 1843, is what must in every case be expected, and is in consequence an unanswerable argument against the interference of the State in business. State control, they say, was abandoned because it proved itself inefficient, and corporate control arose because it was necessary. It is true, they admit, that the theory of local government functions was changed by this step, but this change was necessary and in the right direction.

There are, as it appears to me, two questions involved in a claim of this character. Thus in the first place, one must inquire whether or not the history of State management, as it appeared in the years studied, is conclusive against the efficiency of State control? And secondly,—whether the subsequent administration by corporations has been so exceptional as to compel confidence in them as permanent centres of power?

With regard to the first of these questions, I may, perhaps, be permitted to present my own conclusions without stating at length the grounds upon which they are based. To my mind, the fact that the experiment of internal improvements by States led to embarrassment in the local treasuries, is far from being conclusive against the policy of local ownership and management of inland highways of commerce. Thus every fact which shows that the period in which the experiment was made was peculiar and unfortunate for its success, is a palliating fact, and common fairness requires that the criticisms based upon such considerations should not be pressed beyond the period to which they apply. Failure in any undertaking, traceable to temporary causes, can never become the basis of a general criticism. A careful study of this period will show that the misfortunes of the States arose from a disregard of the most simple rules of public financiering. It was in the management of the loans that especial stupidity was shown,—a stupidity so exceptional that we cannot believe it would again occur should the States again be called upon to use their credit. The financial mismanagement was only equalled by that of individuals in their private affairs, and in both cases is traceable

to that fatal optimism then reigning in regard to the efficiency of paper credits. Consider, for example, the following: Michigan, in the management of her debt, actually borrowed money on time. The full extent of her so-called repudiation was that she refused to pay, out of taxes, those bonds for which she received nothing, but which had been hypothecated by her agents with European bankers. Yet this affair of the bonds was what brought the people of Michigan to believe that their scheme of internal improvements was a failure, and which worked up the sentiment that called for the abandonment of the policy. My point is, that this sentiment was illogical at the time it sprang up, as is, also, the argument in favor of corporate management of highways based upon it, for, had men looked a little farther, they would have seen that, in general, the State administration was good. Its failure, so far as it was the fault of the Legislatures and not inherent in the spirit of the times, was in a matter easily remedied, and subject to strict control.

But there is yet an additional reason why we cannot rely too strongly upon the experience of the States after 1830. This was a period of transition in commercial methods. Previous to 1830, all plans for inland commerce were based upon the idea of canals and wagon roads; but, about that time, thought was turned to the development of the railroad system. The changes actually introduced by railroads have been greater than any dared to imagine. They did not at once spring into perfect form, but gradually encroached upon wagon-roads and water-ways, until these were almost entirely abandoned. The consequence was, that many of the plans which contemplated them not only ceased to be remunerative, but involved their projectors in disaster. So far, then, as the failure of the schemes of internal improvements arose from the fact that canals became useless because railroads proved in every way better, it is certainly illogical to claim that failure proves incompetency on the part of the State, for disappointment must have come in any case to those interested in water-ways. This fact, as it appears to me, has not been taken adequately into consideration. Indeed, it is believed that the more carefully one studies this experiment of State management of public highways, the less strenuous will he be in his claim that it furnished an argument against business management by the local governments.

But, in the second place, it is necessary to inquire if the admin-

istration of the corporations, since they have assumed control over inland transportation, has been so conservative and just that the people may rest fairly satisfied with things as they are? The transportation business is one necessarily bound up with centralization of power; can that power be safely left with the corporations? Were this question longer an open question, the loss of strength to the States that results from their financial inability would not be the occasion of such grave apprehension. But the fact is, it is not necessary longer to argue this question before the people of the United States. Even conservative thinkers are anxiously inquiring what shall be done with the corporations. From papers not regarded as revolutionary, from the trend of court decisions, from the writings of publicists on questions touching political philosophy, as also from the expressions of the self-styled anti-monopolist, it is possible to learn that there exists great fear of the excessive development of corporate powers. For my own part, I believe this fear to be well grounded. The actual workings of corporate control have been such that even though one accepts the doctrine of non-interference as the maxim to be in general followed, he must admit of an exception in the case of railroad management. The major premise of action is established in public sentiment: the business of inland commerce must, in some way, be brought under governmental control. The question open for discussion deals only with the proper method. Now it is in connection with this state of affairs that the subject here discussed assumes importance. Suppose that control by commissions prove inadequate to the demands made upon them, and a step yet in advance appears to the people necessary; what division of our complex government must take upon itself this function of direct management over inland transportation, a function that gives the governing body greater power over the governed than any other that can be mentioned? The States are in no position to do this; as things are now, it must be the national government. This once accomplished and there is an end to the reality of popular government in this country. Say what men will, — there is an eternal difference between a Democratic Republic and a Republican Empire. Popular government means local government. Real power lies at the centre of administrative control, and nothing can take us so far from the idea of the fathers as to establish for domestic affairs the same concentration of management as they

established in foreign affairs. They wisely recognized the difference, and it is the part of wisdom for us to maintain it. Yet consider in what a position it leaves us. To recognize the evils of too great a concentration of administrative power, is a guarantee to the corporations that they will not be interferred with except through restraining laws that do not restrain, for the States, the natural recipients of such powers are precluded by the fact that they have lost their financial standing. This condition of affairs is, at least, suggestive.

It is not, however, the railroad question that I desire to bring into view, but rather to show what a misfortune has come to this country through the decadence of the financial standing of the States. It is an historic rule of universal application that, as countries become more populous and the social and industrial relations more complex, the functions of government must necessarily extend to continually new objects. This rule holds good now in this country, and in consequence the question of the residence of the new powers becomes of importance. As a single example. The frequent recurrence of floods, the more rapid and marked alternation of drought and wet, the progress of farming toward the exhaustion of lands, and other signs, tell plainly that it will be soon necessary for this country to attend to the planting and caring for forests. This is something that corporations will not do, for the time of return is too remote from the first investments. It is a legitimate sphere for the employment of sovereign credit. Shall this be undertaken by the central government or the local government? To my mind there is but one answer. The States are the proper centres of this power, yet they have been driven from the possibility of such works by an over-solicitous people, frightened by one unfortunate venture.

If the States would regain their lost sovereignty and again become important factors in the life of the Nation, there is but one path by which they may reach that goal. They must in some way recover their lost credit and regain their standing in the financial world. Without the control of money, all claim to sovereignty must ever remain an empty name.

III. WHAT MAKES THE RATE OF WAGES?

BY EDWARD ATKINSON.

(Submitted and read in part Wednesday, September 9, 1884.)

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The phenomenal circulation. in England, of Henry George's book, entitled "Progress and Poverty," and the statement that it has already been translated into every civilized language, although it made little impression in the United States, draws attention to the fact that all other questions have become relatively insignificant compared to the problems which relate to the distribution of wealth. The premises which Henry George assumes are without substantial foundation in fact, and his conclusions are, therefore, without warrant. The *production* of what constitutes wealth or welfare is no longer at issue. Modern science and modern instrumentalities of production are adequate to produce what would suffice for a good subsistence for every man, woman and child in any and all countries. The whole question at issue is the *distribution* of this substance after it has been produced. Production and distribution are but two phases of the same work.

Land, capital, and labor are the three factors in production, but even when these three factors are worked in the most hearty coöperation, the world is always within a year or less of starvation. The main question, therefore, is: How is the annual product distributed? because it is upon the distribution of the annual product that subsistence depends, rather than upon the ownership of land or of the products of labor which have been saved in a concrete form, and which have become capital. The capital or labor saved in a concrete form never exceeds in value the sum of two or three years' production, even in the richest State or Nation, and is more apt to be less than the product of a single year.

In the work of production and of distribution, by far the largest portion of the people of the so-called civilized world work for wages in one form or another,—that is to say, they are at any given time in the position of the employed rather than that of

* This treatise, with addenda, together with two essays by the same author, one on "What is a Bank," the other on the "Railway, the Farmer, and the Public," are about to be published by G. P. Putnam's Sons, under the title of "The Distribution of Products, or the Mechanism and the Metaphysics of Exchange."

employers. They change from one class to the other, according to their relative abilities or opportunities. It follows of necessity that the paramount question—the one which is of prime importance to the vast majority of the people of civilized lands, is, *What makes the rate of wages?* because it is by means of the money which they receive from their employers as wages, that their share of each year's annual product is obtained and is measured. This being admitted, the practical question at once arises, are those who labor for wages receiving in each year a less and less proportion of the annual product, while capitalists are securing for themselves a larger share, or the reverse? Are the rich growing richer, while the poor become poorer? or, are nations themselves becoming poorer as a whole, rich and poor alike securing a decreasing share of a decreasing and, perhaps, insufficient product?

In treating this question, two definitions become necessary. What is *production?* It is not simply the primary process of bringing forth grain, timber, and metals in their crude form, from the field, the forest, or the mine; it is not simply carrying these products through the mill, the furnace, or the forge, into their secondary form, called manufactures; but the word must include all that is indicated by its etymology—*pro duco*—pro-duce-ing—leading forth and directing the forces of nature to the final use of, or consumption by, man. This covers *distribution*, as well as what is commonly called production. The word wages may, therefore, be defined so as to include all earnings of persons in the employment of others. The larger part of the work, in many directions, being done by the piece, the wage is an uncertain quantity, varying with the skill and capacity of the laborer. In this treatise, the word *wages* will stand for the sum of money which is earned by factory operatives, farm laborers, machinists, mechanics, railroad employés, laborers, clerks, salesmen; in fact, by each and every class of those who are employed by others in what is commonly called production or distribution; those who agree in advance to work for a fixed payment, either by the piece or by the day, month, or year.

The true wage which the workman seeks is the food, fuel, shelter, and other means of subsistence with which the sum of his wages will supply him. If we look to the derivation of the word itself, his wage is the measure of the expectation of subsistence, against which his labor is staked, wagered, or hazarded. It is not

eustomary to inelude the salaries of the elerical or administrative foree, nor the payments whieh are made for purely mental work under this term, although they are of the same nature. For the purpose in hand, we will limit the applieation of the word *wages* to the sum of money earned by persons who engage in the aetual work of producing or distributing material substanees; who either work with their hands or direct machinery to these ends; who are in the employment of other persons upon terms stipulated in advance and who are subjeet to be discharged with or without notice, as the ease may be, at the will of the employer. In this eategory will be found by far the largest portion of the people of this country who are old enough to become wholly or in part self-supporting.

This great elass eonsists in very large measure of persons who depend almost wholly upon their daily work for their daily bread,—whose aeeumulations are small,—slowly and painfully made or saved, and suffieient only to relieve them from the neeessity of work for the last few years of old age, if perehance adequate for that without the aid of their ehildren. The welfare of the vast majority of the people of this eountry, and of every other eountry, therefore, mainly depends upon the adequaey of the rate of their wages, and upon the purehasing power of the money in which their wages are paid. It follows that there can be no more important social question than the wage question,—none in which error will be more fatal.

If, under the existing conditions of employer and employed,—of eapitalist and laborer,—of wage-payer and wage-reeeiver,—in other words, if by way of eompetition the rich only grow rieher beeause the poor grow poorer;—if greater progress under present laws and customs is only consistent with greater poverty;—if the profits of capital ean only be inereased by diminishing the wages of labor;—if "wealth aeeumulates" only when "men decay,"—then Socialism may be justified, even Nihilism may be right; the capitalist may be the enemy of the laborer. If such is the truth, Henry George only goes half way in his remedy, when he merely proposes to nationalize or confiscate land. The remedy for these great apparent wrongs may, in such event, be found only in dynamite and the dagger. If even the ehange in institutions or in the title to land which can be secured by legislation is insuffieient, then dynamite and the dagger may be the only adequate remedy, as

Wendell Phillips hinted; but even he dared not say so in his Phi Beta Kappa oration. The very existence of modern society is the major issue which is bound up in the simple and apparently minor question, "*What makes the rate of wages?*" Compared with this all problems relating to the collection of revenue, the function of banks, the hours of labor, etc., sink into relative insignificance. If the fundamental question is, What makes the rate of wages?—these minor questions are merely the froth and turmoil upon the surface, which manifest to the eye and ear the great undercurrent that may rend modern society in twain.

What are the facts? Upon the Continent of Europe, ancient forms of society, customs, laws, and institutions of many kinds, from which we in this country are substantially free, are being actually rent and destroyed, and the whole socialistic tendency of legislation at this time, in Great Britain, France, Germany, and elsewhere, is but an attempt to solve the apparently simple question, What makes the rate of wages, or of the earnings of those who depend upon their daily work to meet their daily wants? By socialistic tendency is meant such acts of legislation as the Land Acts relating to Ireland lately passed by the Parliament of Great Britain; the acts for compulsory life or annuity insurance which have been proposed by Bismarck; the attempts which have been made in France to own and control the whole railway system, and to maintain national workshops; and many other measures of like kind which have been either proposed or attempted in different parts of Europe. The issue is made more difficult by the existence of conditions in Europe to which we have nothing analogous. The question there is not only, What makes the rate of the wages of the factory operative, the mechanic, or the artisan? but, What makes the rate of earnings of the Irish cottier, or the rack-rented farmer, or of the English tenant farmer working leased land; or of the French or German peasant confined to allotments which have been mainly established by the compulsory division of land on the Continent, and which have become so small by frequent subdivision that modern agricultural machinery cannot be applied to them in any great measure; on which the crops are therefore made by the exertion of the maximum amount of manual labor with the minimum of product per man? An example may be here cited of the vast difference, in different places, in the productive efficiency of one man, working one year. I cannot give the exact

measure per man in bushels of grain or barrels of flour, of foreign agriculture, but the German or French peasant makes but a very small crop, who, with arduous toil with the spade and hoe, plants a little strip of grain, harvesting it with the sickle, and thrashing it with the flail. Every one can conceive how small a quantity of grain must be the product under these conditions, yet these are the conditions under which a considerable, if not the larger portion, of the grain crops of Europe are made.

On the other hand, let us consider an extreme example of the application of capital to great areas of land in this country. By division of labor and by the application of machinery upon the great farms of Dakota, such enormous abundance is secured that when we convert bushels of grain to the equivalent of one man's work, working 300 days in one year, we find that in an average year, on land producing twenty bushels of wheat to the acre, 5,500 to 5,600 bushels of wheat are made for each man's work. Retaining enough for seed, this quantity suffices to make 1,000 barrels of flour. It can be carried through the flour mill and put into barrels, including the labor of making the barrel, at the equivalent of one other man's labor for one year; and at the ratio of the work done to each man employed upon the New York Central Railroad, the 4,500 bushels of wheat can be moved from far Dakota to a flour mill in Minnesota, and thence the 1,000 barrels of flour can be moved to the city of New York, and all the machinery of the farm, the mill, and the railroad can also be kept in repair at the equivalent of the labor of two more men; so that the modern miracle is, that 1,000 barrels of flour, the annual ration of 1,000 people, can be placed in the city of New York, from a point 1,700 to 2,000 miles distant, with the exertion of the human labor equivalent to that of only four men, working one year in producing, milling, and moving the wheat. It can there be baked and distributed by the work of three more persons; so that seven persons serve one thousand with bread.

Before we proceed further in the consideration of this and other related facts, let me say that there appears to be an almost unacknowledged belief, even among well-read students, that the so-called principle which Malthus first propounded is true; or at least that it contains such an element of malignant truth, if one may use such an expression, that it is unpleasant to face it, lest one's faith in the Power that makes for righteousness should be disturbed. If

the dogma of Malthus is true, that population tends to increase faster than the means of subsistence, there is no escape from the conclusion that all our efforts at progress, so called, are worse than useless. For instance, when we attempt to save the life of children by the improved sewerage of our cities; when we provide pure water and better dwellings for the poor, when we teach sanitary science to enable each and every member of the community to attain better present conditions of comfort and welfare and a longer life; we are merely building up our present prosperity in order that the adversity of a future day may affect a greater number of people. If population increases faster than the means of subsistence, the rate of wages must always tend to become a less and less proportion of a decreasing product, and their purchasing power must at last become so low as not to ensure even the necessary subsistence; because there would not be substance enough to sustain life to be purchased by any wages which could be paid. In such a view of life all our humanitarian efforts are criminal if successful, because they cause a more rapid increase of population, and only hasten the evil day when, in spite of every effort or of any measure of intelligence, our mother Earth will fail to provide for the wants of her children. They must then slay each other or die in myriads by famine and pestilence, in order that only the fittest may survive. Even then, when those only have survived for whom there is enough for the moment, the evil cycle would begin once more and so go on forever. It is upon the seeming truth which is contained in this abhorrent and atheistic dogma that many false theories have been presented, many bad acts of legislation have been justified, and that it has become a widespread conviction that there is a war, or constant struggle and antagonism between capital and labor,—between rich and poor. It seems to be the conviction of great masses of people that with ever increasing wealth there is and must be ever increasing poverty, and this formula is working in special places in the most active and pernicious manner at the present time. Again we may ask, what are the signs of the times? Russia struggling with Nihilism; Vienna under martial law, for fear of Socialism; Germany and Austria dreading what may come when Bismarck dies; the commune of Paris kept down only by fear and bayonets; even England, gravely disturbed by a single book which attacks her land system, is coping with Irish destitution by acts of Parliament which are but socialism disguised, and

which would be overruled, if enacted by the Congress of the United States, the moment they were presented to the Supreme Court. These dangers to the body politic are signs that the struggle for life has indeed become urgent among great masses of people in special and limited places. They indicate that even in the present day the horrors of the Reign of Terror might be repeated; that want is lawless; that hunger and destitution will incite to violence in any land; and they also prove that the more the attempt is made to suppress these dangers by force of arms, the greater the danger will become. It would be as dangerous to disband the armies of Europe as it is impossible to sustain them, because the habit of government by force cannot be overcome except after many years. Yet, as I have said, in the world there is always enough. Production is ample to give good subsistence to every man, woman and child, especially in the civilized world, and the mechanism of distribution is also fairly adequate. The whole question is one of the method of distribution of each year's product, and inasmuch as this distribution is mainly effected by way of the payment of wages, the paramount question is again presented:

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If we glance again at the condition of the nations which have been named, we cannot help observing, for instance, that Germany is poor in fact; the soil of large portions of her territory will barely sustain the people who dwell thereon, and although there has as yet been no absolute famine, the people of many parts of Germany are always on the very edge of want. We must therefore explain to ourselves the conditions of danger to which the best instructed people of Europe have been brought, by the consideration of other matters. The people of Germany must be subsisted either upon what her own soil will produce, or upon the food for which her own manufactures will exchange. Her own annual product, at its exchangeable value in money, must be the source of her own profits, wages, and taxes. When we utter the last word, may we not touch one secret of her poverty? There are money taxes and also blood taxes. One man in every twenty in Germany is a soldier in camp or barracks, and one other man in every other twenty must be employed in sustaining the idle soldier, while every man wastes a considerable part of his life in preparation for this destructive art and is liable to be called away

from productive work at a moment's notice. Under such conditions, before either profits or wages can be paid to those who do the work, at least ten per cent. must be assigned to the wasteful and destructive, although generally passive war, which is the condition in which all the nations of Europe now exist.

How is this army maintained? There is room enough elsewhere, and to spare, for Germany to relieve herself of the population which cannot live upon her soil, except on the edge of starvation; there is room enough even in our own land, and here they would be welcome. But every German boy who reaches the age of eighteen is enrolled for service in the army at a future day, and if he dares leave the country after he is enrolled, he expatriates himself, renders any property which may be devised to him liable to confiscation, and can never return, even though he may have become an American citizen, except at the risk of being treated as a deserter, and forced to render his three year's service in camp or barracks. Under such conditions as these it follows that neither the poverty of Germany, France, Austria, Italy, nor any other country, can be attributed to any real antagonism between labor and capital, but must be attributed in part to the poverty of the soil, in part to artificial systems in the division of the land which are enforced by statute, and in part to privileges and to the burdens of standing armies of which we have no counterpart. These dangers to the body politic are but signs that the struggle for life has indeed become urgent among masses of people who number too many for the limited area in which they are, but where they are kept by force, the natural law of distribution by which they might spread themselves over the earth being obstructed. Much of this is done under the pretext that the right to property can only be permanently sustained by force, while the rights of man are denied.

We may also observe that almost all modern dangers of war are dangers connected with the distribution of wealth, or from national jealousy in respect to commerce, which is but another name for the distribution of the annual product of the world. This jealousy is mainly caused by the continued prevalence of the false idea that in international commerce what one nation gains another loses. Hence we find nations endeavoring to establish and maintain colonies, in order to control their commerce, at a cost to themselves of more than the whole commerce is worth.

No one fights today for a religious dogma, unless it be an Arab or a Sepoy. None are armed merely to maintain a dynasty. It is the Chancellor rather than the Emperor on whose fate the Empire of Germany may depend. The question as to who shall control the Suez Canal endangers the peace of Europe, yet this canal is but a spout through which Europe exchanges clothing for food; it is a mere instrumentality of distrubution. All modern questions of any importance relate to the means of subsistence; the distribution of the means of subsistence is finally brought about by the payment of wages. The first question which England has met in endeavoring to promote good government in Egypt, is the debt incurred by a despotic power but imposed on the people who were oppressed. Whether the repudiation of such debts is not the first condition precedent to the common welfare of those upon whom the debt has been imposed without their consent, is one of the many questions about to be forced to an issue in other countries than Egypt. If one half the product of Egypt is absorbed by the debt, will the other half suffice even for subsistence? Can the sum of wages be more than what is left of her own produce? Must not the annual product of each country be the source of its own wages?

As I have said, when we attempt to solve this question, we find that there need be no fear of want because there is not enough for all. Enough there is, and to spare. The only question is, Where is it? Distribution is limited or restricted in part only by want of proper mechanism, *i. e.*, by the lack of railways, the lack of ships, and the like; in part by legal obstruction, in part by national jealousies, but yet more by obstacles to free exchange, even where the mechanism suffices. I do not limit the term *free exchange* to the narrow question which is at issue between the advocates of free trade and protection; that is a minor question. I mean the obstacles to free exchange which are mainly caused by that ignorance and incapacity which stand in the way of mutual service, even among the people of the same country. The farmer of our own land may have his barns running over with the abundance of his product, and may desire a hundred things for which he would be willing to exchange; but if, on the other hand, those who desire to share his abundance are ignorant, incapable, or vicious, who cannot or will not work upon the things the farmer wants, there can be no mutual service; they may starve while his

crop decays. It is mainly the imperfect or restricted distribution of what there is ready for use, which is caused by the ignorance or incapacity of those who need it, that creates want in the midst of plenty, not only in Europe, but in the heart of the great cities of our own land. We waste enough in this country to support all our poor in luxury; yet were we to give this excess to them in mere charity, what we waste, thus consumed, would forever convert the poor into paupers. Charity or alms-giving cannot remove pauperism; it may only increase it. The *common* laborer, so called, is the one who suffers most in times of depression; and he usually is and remains a *common* laborer merely because neither his hand nor his head have been trained together so as to enable him to do work requiring skill, which kind of work is everywhere and at all times waiting to be done, and by doing which he might become entitled to a share of existing abundance. We are attempting, in this country, to cope with these problems by legislative methods. In Europe the attempt is made both by legislative methods and by force combined. Neither method can permanently succeed. Neither wealth, welfare, nor common subsistence can be permanently imposed from above, or instituted from without. Neither masses of men nor individual men can be permanently helped who cannot or will not help themselves. The final remedy for these wrongs can only come by the development of individual manhood from within. Individual intelligence and integrity, sustained by public justice, constitute the sole condition under which permanent prosperity can become the rule among men. Then life and liberty will be the only common factors, making for the welfare of each and all. It may be a far-off day, which none of us living may live to see, when this shall be accomplished; but the potential agency in promoting this end is *the advancement of science*.

With the chemical or physiological question which underlies the abhorrent dogma of Malthus, I may not attempt to deal. Subsistence is but a conversion of forces—a chemical process; whether or not the proportion of force or energy which constitutes material life, and which takes the form of the body in which man lives awhile on this earth, may find a limit without recourse to war, pestilence, or famine to check its undue development, is not yet a practical question. When it arises, it may be time enough to meet it, in some far away period.

The absurdity of the attempt, as yet, to measure the power of

subsistence and to declare it to be limited can be demonstrated in two or three simple ways suitable to the use of a statistician like myself: First, no man yet knows the productive capacity of a single acre of land anywhere in respect to food. Second, the whole existing population of the globe, estimated at 1,400,000,000 persons, could find comfortable standing-room within the limits of a field ten miles square. In a field twenty miles square they could all be seated, and by the use of telephones in sufficient number they could all be addressed by a single speaker. Third, the average crop of wheat in the United States and Canada would give one person in every twenty of the population of the globe a barrel of flour in each year, with enough to spare for seed; the land capable of producing wheat is not occupied to anything like one-twentieth of its extent. We can raise grain enough on a small part of the territory of the United States to feed the world. The great American desert has gradually disappeared. The "bad lands" of Montana prove to be the best grazing ground of the Northwest, and in the heart of the Eastern States the mountain section of the South waits for a population equal to that of Great Britain, who can there find potentialities in agriculture or in mining equal to those of any similar area on this or any other continent. As yet, therefore, the doctrine of Malthus has found only a limited application, where some local or temporary congestion of human force has gathered. As I have said, in the world there is somewhere and always enough. The only question is, Where is it? When found, the next question arises, How to get it.

The first method which obtained in the world, was to grab it—the age of force. The second method was to give it—the era of conqueror and conquered, of master and slave, of lord and vassal, of giver and taker, not of employer and wage-earner. The third method is to exchange for it. Under this third method commerce has arisen, men have become sorted as capitalists and laborers, as employers and employed, as wage-payers and wage-receivers; service for service is the common rule of life; the exchange of product for product is the practice of commerce. All States have, or may become interdependent and then "the ships that pass between this land and that will be like the shuttle of the loom, weaving the web of concord among the nations." And again we meet the apparently simple question, What makes the rate of

wages by which the greater part of these services are measured and under which the greater part of the distribution is effected?

I have had but little time for the reading of books or the consideration of theories of wages; but I believe we must pass from the English orthodox system of political economy to France, in order to find the first true statement of the relations of the wage-receiver and the wage-payer, of employer and employed, of laborer and capitalist, or of labor and capital. Many years ago a single phrase in Bastiat's "Harmonies of Political Economy" became engraved upon my mind, and by its application I have been enabled to observe the phenomena of wages in the course of my business life with much clearer insight. It is this: "*In proportion to the increase of capital, the absolute share of the total product falling to the capitalist is augmented, but his relative share is diminished; while on the contrary, the share of the laborer is increased both absolutely and relatively.*"

Among English writers, Thornton exposed the fallacy of the old wage-fund theory, the theory that all wages are paid out of a fund of capital previously accumulated and will be high or low as the ratio of that fund may be great or small, in proportion to the number of persons employed. Professor Cairnes propounded the true theory of wages in one of his latest books, in terms so nearly identical with some of those which the writer has used in this treatise, that the writer would have suspected himself of unconscious plagiarism had he not found his own records antedating the unpublished works of Professor Cairnes on this subject. In this country, Professor Francis A. Walker has presented the true theory of wages in the most effective manner, and has probably done more than any other writer to clear the subject of obscurity. It has been a matter of great satisfaction to me, that my practical observations are so fully consistent with the theories of these authors. Giving due credit to all these writers, my own conclusions have been based almost wholly upon facts and deductions from business experience rather than from books, although my attention was first attracted and a direction was given to my observations by the paragraph which I have quoted from Bastiat.

The two forces that are engaged in the production of the substances which constitute food, fuel, means of shelter, or the materials which may be converted into additional capital, are of course, labor and capital. Land itself is but an instrument, being useless

and valueless unless labor and capital are employed upon it. By the coöperation of these two forces, an annual product is made. The true function of capital is that of force put to use in order to increase production, rather than a substance to be immediately divided and consumed.

Fixed capital, so called, although the name is hardly a suitable one, may be likened to the foundation, boiler and engine, and quick capital to the fuel with which the boiler is supplied: the one is very slowly, the other very quickly consumed, yet neither works directly to the subsistence of men, but indirectly both work to the vast increase of the actual substances with which men are fed, clothed and sheltered; these substances constitute the annual product which is divided among them. The term *annual* fits the case, because the year represents the course of the four seasons and the succession of crops. A small part of each year's annual product, commonly called "quick" or "active capital," must be carried over to start the next year's work upon, as a small part of last year's product had been brought over to start this year's work upon; one proportion balancing the other. The fixed capital seldom exceeds in value two year's production. It therefore follows that all profits, all wages, all taxes, in fact all consumption whereby existence is maintained, must be substantially drawn from each year's product; it is therefore in the division of these substances produced within the year, that true profits and real wages are to be found. But, in order that this product may be distributed and consumed, since no man lives, economically speaking, for himself alone, the various products of the year must all be exchanged, by purchase and sale, and therefore must all be measured in and reduced to terms of money,—except that part of the annual product which is consumed upon the farm by the farmer and his family without being sold. With this exception, it therefore follows, that substantially the whole product of each year must be converted into terms of money. I think it escapes common observation, that in all departments of industry, except agriculture, few men now produce anything which they use themselves; and even in farmers' families, domestic consumption is now limited to a small part of the farm product; all else is procured by exchange; all men are interdependent. The sum of money represented by this conversion is and must be vastly greater than the sum of real or actual money which is used as the instrument of ex-

change, hence the necessity for true money. The greenback fallacy can only deceive those who fail to comprehend the function of money. Inconvertible paper money is a fraud, and the burthen of proof rests upon its advocates to justify the honesty of their intentions by the weakness of their intellects. In this process of conversion into terms of money by way of purchase and sale, a part of the value of the annual product is sorted on the one side as profit, rent, interest, or by whatever name the share of the owner of capital may be designated; and, on the other side, another and vastly greater part constitutes the share of those who do the work, and is named wages. In the subdivision of this latter share into individual parts, the rate of each person's wage is established in terms of money.

It would not be consistent with the general purpose of this treatise to attempt at this point to give precise details in respect to the value of the annual product of a normal year in money. The general conclusion at which I have arrived is, that in the year 1880, the census year, when the population of the United States numbered a little over 50,000,000, the annual product had a value of nearly or quite $10,000,000,000 at the points of final consumption, including, at market prices, that portion which was consumed upon the farm, but which was never sold. Omitting that consumed upon the farm, it was about $9,000,000,000. What portion of this product constitutes the average share of the capitalist at the present time cannot be substantially proved. In a normal year, under normal conditions, I am of the profound conviction that not exceeding ten per cent. can be set aside as either rent, interest, profit, or savings; and that nine-tenths constitutes the share of the laborer, which, by subdivision, becomes expressed in terms of personal wages.

During recent years, the increased efficiency of the railway service, and the consequent elimination of two-thirds of the cost of distributing commodities in bulk, has undoubtedly augmented for a time the amount falling to the capitalist, but without in any measure reducing the amount previously falling to the laborer; on the contrary, greatly promoting the laborer's interest as well as that of the capitalist.

The great fortunes of the railway magnates (aside from one or two conspicuous and notorious thieves who have stolen franchises and defrauded their stockholders) have consisted of but a small

portion of what they have saved to the community. The main work of railway capitalists has been to reduce the cost of distribution; their true function ought not to be prejudiced by the fact that a judge of one of the courts of a neighboring State was impeached and disqualified from holding any office of trust or honor for "corrupt practices" with a notorious railway official. The corrupt judge is dead—the corruptor of the judge still lives a base and dishonored life, probably continuing to exist physically because he is mentally and morally incapable of conceiving the turpitude of his existence or of feeling the loathing and contempt of the community. But even the railways which he has constructed will continue to serve some useful purpose after the corruption which he has engendered has been buried with him in a nameless grave.

In treating this question of the rate of wages, it must be kept in mind constantly that money is but the instrument of exchange, that real wages are what the money will buy, and there cannot be more real wages than the whole product, less the share of capital. If, then, we can even approximate the value of the product and divide by the known number of persons employed, we then approximate the annual measure or average rate of wages in terms of money.

At the risk of repetition, this point must be further considered.

VALUE AND DISTRIBUTION OF OUR NATIONAL PRODUCT.

The population of the United States, in the census year, consisted of a little over fifty million persons, or about ten million families of five each. Substantially one in every three was engaged in some kind of gainful occupation. Agriculture was and is the leading occupation. Upon small farms, a large portion of the produce is consumed by the farmer, his family, and his laborers. Upon large farms, the greater part of the produce is sold. In the families of country mechanics, much productive work is done which in cities is procured by purchase. We can only approximate in a general way the value of the domestic consumption. If one-tenth of the consumption of the country is of the nature of purely domestic production and consumption, which is never converted into terms of money by purchase and sale, the total sum which would represent such domestic consumption would be $20 to each person, $100 to each family, or $1,000,000,000 total value. Of this the census enumerator would find no trace in the figures of

commerce. This is a large estimate, undoubtedly, of the domestic consumption of articles which might be or might have been procured by purchase, but which were in fact produced and consumed without purchase or sale. The remainder of the annual product, at whatever sum of money it may be finally valued when sold for the last time and distributed for final consumption, constitutes the value of the product converted into terms of money, from which sum all money profits, all money wages, and all money taxes must be derived. There can be no other source. Each bargain for a sale or a purchase is and must be made in terms of money. The manufacturer, the merchant, and the shopkeeper take their toll of profit in money, not in kind. The assessor levies a tax payable in money. When this tax is levied upon a producer or a distributor, it is charged to the cost of the business, and is thus distributed among those who buy the goods for consumption. The laborer receives his wages in money, seldom in kind, except the farm laborer; he then converts his money into his share of the annual product by the consumption of which he sustains life. The total sum of money which represents the value of all that is produced, at its point of final consumption, is and must be the final measure of that part of the annual product which is bought and sold. Therefore, all profits, wages, and taxes constitute a portion of this lump sum; in order to ascertain what the rate of profit, the rate of taxation, or the rate of wages may be, we must ascertain what this lump sum is, and how it is divided. On the other hand, by ascertaining what the total sum of taxes, the sum of all wages, and the sum of all profits may be, we can again approximate the total value of the annual product. No absolute results can be reached by either method, but approximate results can be fairly set off, one against the other. This is what the writer has endeavored to do.

The principle which I have attempted to sustain in this treatise may be considered without any regard to its application to the existing figures of the present date. I have given these figures, however, in the way of illustration.

The principle might be stated in algebraic symbols. For instance, given the question, "What is the value of the annual product of the year 1884?" it would consist of the following elements: First, the wear or consumption of fixed capital previously accumulated; the proportion of the quick capital or product of the year 1883, brought over to and consumed in the year 1884,

in order to begin work. Let these two elements be called a. To them would be added the actual product of the year. Let this be called b. From this product a certain proportion would be carried over to begin the work of the year 1885. Let this be called c The formula could then be stated in the following terms: $a + b - c = x$, the annual product which is subject to subdivision and to consumption.

Let profits be called d, sum of all wages e, persons engaged in gainful occupation for a given rate of wages f, and the average rate of wages i. The complete formula would then be as follows:

$$a + b - c = x$$
$$x - d = e \div f = i$$

If i be the average of all there is, one wage earner will earn less, another more, according to relative capacity and opportunity, and by competition each with the other; but these earnings, differing each with the other, will be absolutely within the limit of i, while i itself will annually stand for an increasing share of an increasing product, if my premises are sustained.

In a computation of what makes the total accumulated wealth of the United States, which was made by the Census Department, one half the value of the product of mines, oil wells, and the like, was taken as being on hand at a given time, constituting a part of the accumulated wealth, together with three-fourths of the annual product of agriculture and manufacturing. Working from these data, it appears that the census estimate of the value of the annual product of the United States for the census year was from $8,200,000,000, to $8,500,000,000, not including domestic consumption. There appears to be no actual computation of the value of the annual product in the census, but the figures used in the computation of wealth yield these approximate results. The writer had reached his own conclusions by very different methods from those used by the Census Department, and had satisfied himself that if there be added to that part of the annual product which is sold, and which is, therefore, reduced to terms of price in money in the markets of the world, the domestic consumption upon farms and in families, the total value of the annual product would not exceed $10,000,000,000 in the census year, at the retail prices for final consumption. If the census estimate be divided by the population of substantially 50,000,000 people, we reach $160 to $170

per year as the sum representing the average annual product for each person, or a fraction less than forty-four to forty-seven cents per day for 365 days. That is to say, when the products or services of each person were brought into competition in the markets of the world, the money value of the entire commercial product in the census year was measured by the average sum of forty-four to forty-seven cents' worth to each person. My own computation gives a little under $200 to each person, including the domestic consumption of farmers, or a little under fifty-five cents' worth per day. That is to say, the average product of each person may be estimated by any one who will go into the market, hire shelter, procure food and clothing, and save something out of what fifty-five cents a day will pay for each member of a family. If no more is produced, no more can be had. What there is may be bought and sold ten times over; it only wastes a little each time; it does not increase. Paper may be substituted for true money, and the rate of paper wages may be apparently doubled, but then it will take $1.10 in paper to buy what fifty-five cents gold now buys. There cannot be any more shelter, food, fuel and clothing sold than there is produced, and the value in money of all that there is produced is the final measure of all profits and wages. The subdivision of all there is produced, therefore, *makes the rates of both profits and wages.*

If, again, we call $1,000,000,000 the domestic consumption, and value the saleable portion at $9,000,000,000, and then divide by the whole number of persons who are engaged in all gainful occupations of every name and nature, to wit, 17,392,099, we reach an average of $523 as the annual measure of the productive services of each person thus engaged in useful work, each one at work sustaining two others. This computation may be proved to be substantially correct by a comparison with the actual wages or earnings of all classes, which were treated separately in the census, giving due consideration and applying judgment to the relative value of the work done.

It may, therefore, be assumed that the average value of the gross product of each person who was engaged in any lucrative or productive employment in the United States in 1880, can be fairly established in the census year at a sum closely approximating $523. If such is the measure in money of all that was produced, then all wages, profits, taxes, and all savings or additions to capital must

have been derived from such a sum. There can be no other source for either, unless the country incurred a foreign debt, which it did not in any great measure. It paid more debt in the census year than it incurred.

If such is the gross sum, let us see what the net sum free from taxes may have been. In the same census, the gross sum of all National, State, county, and municipal taxation, was computed in round figures at over $700,000,000, or nearly eight per cent. of the value of the total commercial product. If we apply this rate to the average share of the product which fell to each person who was occupied in gainful occupation, we reach the following result: Gross product, $523; deduct 8 per cent. for taxation, $41.84; net share of the annual product, free of taxes, valued at $481. Now it will be apparent if only one in 2.93 persons is employed in gainful or productive occupations, then 2.93 persons must be subsisted upon what $481 per year, or $1.32 per day will purchase, or 45 cents worth to each person; if it be considered also that from this sum must be set aside profits or additions to capital which take precedence of wages or earnings, then it will at once appear that by far the larger part of each year's product must be consumed; that is to say it must enter into the cost of production. In point of fact each year's work barely suffices for each year's wants, and but little can be saved or added to capital because it is evident at a moment's consideration that not much can be saved out of what 45 cents will buy for each person each day. There is no absolute method of determining the exact proportion of the annual product which can be set aside as profit or addition to capital, nor of ascertaining that part which constitutes the actual wages or earnings. All that can be said is this: If 10 per cent. of the gross product can be set aside in a normal year, for the maintenance or increase of capital, that is to say, $48.18, out of each person's net share of the whole, then the average rate of wages or earnings of all the people of this country engaged in gainful occupation, is at the rate of $433.62 per annum, $1.19 per day or $1.44 per working day. This result, again, fairly approximates to the disclosure of the census, if it be compared with the specific ascertained earnings of persons engaged in special branches of industry. If anything, it is a large estimate rather than a small one.

If the foregoing premises be admitted, it follows of necessity

that so far as those who work for wages are concerned, the relative or proportionate rate which each one or each class may receive cannot be in any very large measure affected by the sum which is set aside as profit or increase of capital, but must be mainly affected by the competition of laborer with laborer and will be finally determined by the relative efficiency of each person within the limit of the average proportion which his class receives out of the annual product. That is to say, the relative condition of each class of laborers must be determined by the variation from a standard or average which is determined by the quantity and price of the aggregate product of that class, *i. e.*, in that special branch of industry. The general rate of wages can therefore only be raised by an increase of product coupled with a wider market commensurate with such increase, so that the price may be maintained. Absolute wages may be increased although the rate in money may not, by an increase in product, accompanied by a decrease in the price, so the same or a less rate of wages may buy more commodities. The gross product may be increased by two methods only; first, by the intelligent use of the increase of capital; and second, by the more intelligent coöperation of labor with capital. Contention or antagonism can only result in diminished rates both of profits and of wages. Prices and rates of wages can only be maintained by enlarging the market as labor becomes more effective and a greater quantity of things is produced by a decreasing number of persons. When a greater quantity of any given product is made by an improvement in machinery or a new invention, and men who have before been employed in that art are no longer wanted—then a wider market must be found for products which remain within their capacity to produce. Hence those nations which apply machinery in greatest measure, and thus increase the quantity of their product while diminishing the cost as well as the number of persons employed, possess the greatest power of competition in supplying other nations in which arts are mainly handicrafts. For instance, England and the United States compete with each other in supplying China with a portion of the cotton fabrics needed by the Chinese; (supplying perhaps ten per cent. of the cotton fabrics which are consumed in China) in exchange for tea, silk, etc., etc. The cultivation and preparation of tea and silk being of necessity handicrafts, this exchange would occur even if no climatic condition entered into the case. The

exchange of fabrics made by machinery for tea and silk, yields each nation what it needs with the least effort, although the quantity of labor varies greatly.

It therefore follows that the power to control commerce with the non-machinery using races, who constitute more than three-fourths of the population of the globe, rests with that nation which applies machinery most effectively to the greatest natural resources, and whose product is least diverted from being applied to profits and wages by destructive taxation, such as the support of a great standing army or costly navy.

The invention of machinery creates commerce. If we revert to the former conditions of life in different sections of the United States, may we not find an explanation of the vast increase in the domestic commerce of the country, in the greater *interdependence* of each section of the country upon each other section, as well as in the greater interdependence of individuals upon each other. Exchanges of product for product have widened and increased, perhaps in greater measure than the aggregate product itself. If we recall the conditions of life of the New England farmers and artizans in the early part of the century, a very small money income sufficed them, because they lived mainly upon what they produced themselves, and because many of their exchanges were made without the intervention of any money. They *swopped* or bartered services in the erection of their dwellings and in harvesting; they raised, spun, and wove their own wool; they packed their own pork; they raised their own corn and paid for grinding it by a toll in kind; they cut their own fuel. These primitive conditions can even now be observed in the mountain sections of the Southern States. But even under such conditions, the consumption of food and fuel by each person may not have varied greatly in quantity or weight from that of the present time. It differed greatly in kind and quality, and also in the method by which it was attained; but the quantity of food in ounces, which is the final standard, cannot greatly vary in one period as compared to another. We waste a great deal more now than we did in those early days, but our actual consumption of food per person cannot have increased in any very large measure. In the primitive days, under these primitive methods, the labor was so arduous and the hours of work were so continuous that only the strongest survived. The figures representing commerce were very small, and when

wages were paid at all, they were at very low rates for long hours of merely manual labor. Under the modern method of extreme subdivision, and the application of adequate machinery, *i. e.*, capital, the labor is less toilsome, the hours of work are shorter, the weakest can find something to do, each serves the other, and in the process of manifold exchanges, the figures representing commerce rise to almost incomprehensible millions; yet the actual quantity consumed, as I have said before, may not have varied in any great measure, so far as food and fuel are concerned. So far as clothing is concerned, production and consumption have increased enormously.

The end of all this vast system of exchange is, however, that, in one way or another, each person may secure about three pounds of food per day, a few yards of cotton or woolen cloth each year, two or three tons of coal or five or six cords of wood a year, and a given number of cubic feet of space sheltered by a roof. They needed as much per person of the absolute necessaries of life fifty or a hundred years since as they do now, but they obtained them only by working twice or thrice as hard. They were more independent, less interdependent. There was far less capital, and much more arduous and excessive labor. The conditions of life were more equal, but it was the equality of sordid, continuous, excessive manual labor, aided neither by the factory nor by the railroad; neither by the more modern inventions of the masters of science, nor by the administrative and organizing power of the great capitalists, without whose potential work all modern progress would have been substantially impossible. The fortunes which those great directors of industry have made for themselves bear but the proportion of a small fraction to the labor which they have saved their fellow-men.

I will repeat again what I have said before: the late Cornelius Vanderbilt may be taken as an example of a communist in a true sense. He was the greatest communist of his age. He consolidated and perfected the railroad service in such a way that a year's supply of meat and bread can be moved one thousand miles, from the western prairies to the eastern workshops, at the measure of cost of a single day's wages of a mechanic or artisan in Massachusetts—that is to say, if the mechanic or artisan of the East will give up one holiday in a year, he removes one thousand miles of

distance between himself and the main source of his supply of necessary food.[1]

[1] I have cited the late Cornelius Vanderbilt as the great communist of his age for the reason that he may be said to have first invented the consolidation of a through line of railway from the prairies of the West to the markets of the East, with a consequent reduction in the cost of bread and meat to the dense population of the Atlantic seaboard. By this consolidation and effective service, one thousand miles of distance has been substantially overcome at such a small cost as to have rendered the choice of position, at any point within that range, a matter of so little moment in respect to the supply of Western food as to be practically out of consideration. For instance, the value of the product of five hundred operatives in a coarse cotton factory in Massachusetts is over one million dollars per year—all the western flour and meat which these operatives need in a year can be moved from Chicago to Lowell at a cost of $600, and sometimes for less.

It is sometimes urged that such great fortunes as that of Vanderbilt and a few others are against the public interest, and that some method ought to be devised for limiting their accumulation. This ungrounded prejudice has mainly arisen from the jealousy rightly caused by the great fortunes which were accumulated by expert gamblers under the malignant system of the greenback or legal-tender paper money before these notes had been made redeemable in gold coin.

It is very true that the most of the fortunes which were made out of the fluctuations of the currency were speedily lost, but the foundations of a portion of the most conspicuous existing fortunes were laid under these bad conditions.

It is hoped, and may be believed, that the advocates of paper money will never again be enabled to impose such a malignant instrument of fraud upon the community.

Other fortunes which rightly excite jealousy, and which might, perhaps, have been prevented by legal measures, are those which have been made by fraud and by the abuse of trust in corporations on the part of a very few conspicuous or notorious railway promoters and speculators. They need not be named because, fortunately for the welfare of the community, the number of persons who have successfully stolen the property of those who trusted them is very limited; hardly more than one name will come to the mind of any person as the chief exponent of this nefarious class at the present time.

But in regard to such persons it may be said that they are in the nature of monstrosities; they are the spawn of a corrupt period; in one way or another, the man who corrupts a court will be abated in some way as a public nuisance, if death does fortunately remove him, or ruin overtake him.

The great fortunes of those who have fairly earned them by their capacity to direct and use great masses of capital in the most efficient way, cannot be a subject of jealousy, suspicion or distrust. As well might large steam engines be a cause of distrust and a clamor be raised for the substitution of a number of little ones.

I have endeavored to show how both the rate of wages and the purchasing power of the wages depend wholly upon the abundance, ready distribution, and quick sale of the joint product of capital and labor.

It is now constantly affirmed by certain enthusiasts and sentimentalists, who are sustained by cranks and demagogues, that, inasmuch as all production rests ultimately upon labor, therefore laborers are entitled to the first consideration and the remuneration of capital ought equitably to be subjected to the prior claims of labor.

This extreme position is the exact reverse of the conception of the relations of labor and capital which prevailed during the first half of the present century, when the science of political economy first became a matter of real study. At that time capital received the first consideration and labor was deemed subordinate, or subject, we might say, to capital. One extreme position is as utterly false as the other; both are mischievous; but, if injustice is done in either direction, it is the laborer who suffers most and the capitalist who suffers least. Perhaps the greatest measure

Having attempted to estimate the main factors which determine the general or average rate of wages at a given time, we may now consider the subdivision or the forces which affect the subdivision of the true wages fund. Why is the average rate of wages in a given occupation two dollars a day in one place, and one dollar a

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of suffering to laborers who are nominally free will be caused when capital and capitalists are subjected to unjust restrictions and injudicious discrimination.

The main purpose of this treatise has been to bring into most conspicuous view the great fact that capital is a *force* which may be applied to the increase of *production* and which *promotes abundance* in the greatest measure; but that it is not a substance to be divided, on the division of which the wages of the laborers depend.

Now, every great force requires the most intelligent and careful direction; the greater the force, the greater the measure of intelligence and care required. For instance, since the introduction of the steam-engine, or the application of gunpowder to the purposes of mining, no force has been applied with such general benefit to humanity as the railroad, whereby the products of the richest sections of the world's surface are distributed over the widest area.

So long as the railway service between the East and West constituted detached sections, several of which existed between Albany and Buffalo, as well as elsewhere between New York and Chicago—each section being worked under a different administration more or less effective—the general service was ineffective and costly.

It required a man of positive genius in the use of capital and of the greatest administrative power to bring into effect the consolidation of this single line.

It matters not what the motive of the late Cornelius Vanderbilt may have been. It matters not what may have been the motives of those who consolidated that most wonderful organization of all, the Pennsylvania system of railways. It matters not what may have been the motives of those who have laid out the several great systems which are scattered over the country since Vanberbilt set the example and led the way. The general result of all this work has been a reduction of the railway charge for moving merchandise throughout the United States to the lowest possible point consistent with leaving any incentive of profit sufficient to induce the great masters of the subject to continue their work.

This work is not that of the laborer in the sense in which that word is used by so-called labor reformers. It is not labor in the common acceptation of the term, yet it is an effort of the human mind of such a quality that except capital had thus come under the control of these men all the efforts of laborers would have utterly failed to promote the general welfare. The farmers of the West would have "smothered in their own grease," and would have continued to burn their Indian corn for fuel, while the workman of the East might have starved or would have been compelled to labor long and arduously on the sterile soil of New England, in order to obtain a mere subsistence.

The true function of capital and the capitalists is of the utmost beneficence. It cannot be exerted in the present condition of the world except by the ownership of land and of capital, subject to the limitations and to the duties which are implied by existing laws. That the relations of labor and capital may be measurably changed and perhaps improved by changes in legislation, especially in respect to taxation, may not be denied; but the fundamental principles of individual ownership, subject only to the right of eminent domain and to the payment of taxes, are essential to that abundant production and ready distribution which makes for the general welfare.

As human nature is now constituted the individual control of capital is essential to its adequate use. Corporations are of the nature of artificial persons, and even they never succeed unless there is some one man capable of becoming the head or chief officer, sustained by as many able assistants as the case requires.

Even the successful co-operative shops in Great Britain exert the closest competition in purchasing their goods and pay very high salaries to those who do this part

day in another, within the same country at the same time? Or, why has the rate of wages in the same place been one dollar a day at one period, and two dollars a day at another, at different times? Third, why is it that one true dollar will buy more in one place than two true dollars will buy in another? Why do absolute wages vary, as they do and have varied, in such proportions as are indicated by the rates in money? And why do the rates of wages vary even when the prices of commodities are the same? In reply to such questions as these we are often answered with the orthodox expression: "Supply and demand determine such points." But this is no conclusive answer until we know under what law the supply has been assured, and under what law the demand exists. These terms, *supply and demand*, are commonly used as if each were absolutely certain to induce the other; but such is far from being the truth, except it may be after a long interval of time. Capital may become so effective, by the improvement of the machinery in which it consists, that a few laborers may be able to supply an article of the utmost necessity in such rapid and excessive measure as to keep the quantity beyond the purchasing capacity of those who need it; the need may exist, but the demand —that is to say, the purchasing capacity—is limited not only by outside conditions, but by personal mental capacity and manual ability of consumers. We may assume, for instance, a community consisting of cotton growers, who raise and pick cotton as a handicraft, and of cotton spinners and weavers who have, also, spun and woven the cotton fibre as a handicraft upon spinning wheels and hand-looms. These two classes now exist side by side in the mountain sections of the South. Up to a given date these two sets of persons may have exchanged services with each other in the ratio of one spinner and one weaver to four growers of cotton; or, in order that we may be able to eliminate those who are displaced by an improvement in machinery, we will assume greater numbers; say in the ratio of one hundred spinners and weavers to four hundred growers. But suddenly capital, in the form of a cotton fac-

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of their work—else they would surely fail. Every co-operative factory is under the personal control of a well-paid superintendent.

"The tools to him who can use them." Capital is a tool which cannot be used except to the mutual benefit of capitalist and laborer. Service for service is its necessary law—the only open question is the ratio which each service bears to the other, and, if my observations are sustained, the law of competition is that the ratio of profits diminishes while the rate of wages steadily increases.

tory, takes the place of hand spinning and hand weaving; the capacity of a single person operating the machinery of a modern factory being sixty to one hundred fold the capacity of a hand worker, and the outside market for the cotton fabric being only among the cotton growers, one hand in the factory exchanges with them, taking their cotton and furnishing them with cloth, and ninety-nine hand spinners and weavers are displaced. They may know no other art. They demand cotton fabrics to cover their nakedness, but they can no longer exchange cloth for cotton. The cotton growers may be able to increase their product in some measure, but they cannot or will not exchange with the hand spinners and weavers when they can exchange on better terms with the factory. The cotton grower and the factory operative may each have more than they had before, and may each prosper; but until the ninety-nine hand spinners and weavers who have been displaced can qualify themselves to do some other service for the cotton growers, or until the cotton growers have developed a want for something else than hand spinning and weaving, there may be no equality in the distribution of the greater supply of cotton fibre and of cotton fabric; there may be want in the midst of plenty. The hard and fast rules of supply and demand must therefore be varied according to the capacity of the persons on whose wants supply and demand are predicated. We heard a great deal about over-production during the long depression between 1873 and 1879, and we are hearing the same cry of over-production at the present time of depression in 1884. Why is this? Over-production simply means an excess of food, fuel, and means of shelter; in other words, it means *supply* of capital. It cannot be said that the people of this country all have so much food, fuel, and shelter that there is no demand for any more. On the contrary, want exists; the need is urgent, but the *demand* does not become potential because something is wanting to bring supply and demand to the terms of an exchange. It takes two to make an exchange. One may have what the other wants, but if the other cannot serve the one, both suffer—one from over-production, the other from under-consumption.

We may perhaps find a clue to this apparent paradox by a consideration of one single branch of industry—to wit, the construction of railways. A railroad is, to all intents and purposes, a product of handicraft. The work done in the construction of a

railroad mainly consists in positive, direct human labor, in levelling the way, filling up the valleys, piercing the hills, working in mines and in blast furnaces. Every mile of railroad added to our existing measure stands for the work of about fifty-six men, mostly *common laborers*, working one year. In 1882 we constructed over 11,500 miles of new railroads. In 1884 we shall construct less than 5,000 miles. More than 400,000 *common laborers* have been discharged from work by this change in this one branch of constructive enterprise. They want food, fuel, means of shelter, and clothing now as much as they did in 1882; they represent need or potential demand. Over-production, on the other hand, represents supply; but until other work within the capacity of *common laborers* is found, the wants or demand of these men will not be met, and the over-production or excess of supply will not be consumed. The final end of such a condition is, of course, that pauperism ensues unless an adjustment of labor can be made, and the over-production or excess will then be distributed by the noxious method of alms-giving or State aid. The only true remedy is to develop the individual capacity of each *common* laborer, and to render him capable of performing more than one kind of service. To use a Yankee expression, we must evolve "gumption," which is a purely personal quality, in order that there may be neither over-production nor under-consumption.

Let us now return to the direct question: *What makes the rate of wages?* I will challenge your attention, by submitting certain paradoxical propositions which I will presently prove by examples. Although subject to exceptions and to temporary interruptions, they take the form of rules of substantial and uniform application if time be given them to work. In any given country, like the United States, where the people are substantially homogeneous, where the means of inter-communication are ample, where there are no hereditary or class distinctions, and where there is no artificial obstruction to prevent commerce, high *rates* of wages in money will be the natural and therefore necessary result of low *cost* of production in labor. That is to say, the two forces of capital and labor being combined in the production of any given commodity, the greatest quantity of that commodity will be produced where the conditions are most favorable and where the least number of persons is therefore required to do the work.

To that point, the best workmen and the most adequate capital

will surely tend. This product, whatever it may be, will then fall into the general market of the country, to be converted into terms of money by sale, and will there meet other commodities of like kind which have been produced elsewhere under less favorable conditions or by less skilful persons, with the application of less adequate capital, *i. e.*, poor machinery. That portion which has been produced under the best conditions will, therefore, be the representative of the work of the smallest number of persons; and that which is produced under the least favorable conditions, of relatively the largest number of persons. Equal quantities from each source being sold, the sum of money recovered from the sale will be the same, and it will, of course, yield on the one hand to those most favorably situated, large profits and high wages to the small number employed; and on the other hand small profits and low wages to the larger number less favorably placed. These relative conditions may continue for very many years, as it is not easy to change the place either of capital or of large forces of laborers. All will not go to the most favorable place, because there are many other things than mere money which control the disposition of population. For instance, I have given some figures relating to the production of wheat on the great plains of the far northwest. The wheat there produced is greater in quantity in ratio to the capital and to the number of laborers employed, than in any other part of this country, and wages are very high in the harvest season; but it does not follow that every person who has been engaged in raising wheat in Central New York will leave his farm, whether he be owner of the farm capital, or laborer. There are many conditions of life in Central New York which will keep men there in preference to migrating to Dakota, even though both profits and wages be less. Hence it follows, that although the *total* production of any given thing may not be concentrated at the very best point, it will yet be found to be true that where the conditions are the best, the cost measured in terms of days of labor will be lowest, and the wages measured in terms of money per day will be the highest; the high money wages being the necessary consequence of the low labor cost. Conversely, low rates of money wages are the natural and necessary result of a high labor cost of production. This rule mainly affects such products as are made by handwork, or which of necessity remain handicrafts, *i. e.*, work in which the hand is assisted only by very simple tools of which

each operation is guided by the hand. In such cases both the materials worked upon and also the product may bear a very high price; but the work upon them, not being aided by effective machinery, the quantity of labor will be very large, and the result of the sale may therefore leave but a very small sum to be divided among very many laborers after the cost of materials has been set aside. All mere handicrafts are quickly overcrowded, except such as call for artistic or original power of design. For instance, after the pattern is drawn it takes merely manual dexterity to make Brussels lace. The material which is used in this branch of industry is fine and costly cotton thread, which is converted into lace by hand without the aid of any machinery whatever, but merely by the use of two or three simple tools; the lace-makers of Brussels are among the poorest of the poorer classes of European operatives. They work at the very lowest rates of wages, which will barely keep them in existence, but their product is of very high cost in money. The very best Lyons silks and German velvets are other examples. They are made upon hand-looms of the most primitive kind. Beet-root sugar is another example. Beets require constant hand work in weeding. We cannot afford the time or labor for such work so long as we can exchange wheat raised by machinery for money and with the money buy our sugar. In all handicrafts the quantity of labor is very great, but even at the high prices which such products bring, the total sum of money recovered from the sale, leaves but a very low rate of wages to be divided among those who have performed the work. It thus becomes very apparent that the rate of wages must be determined by what the product will bring in the market, from which must be deducted materials and profits. The total annual product may be converted into a lump sum of money, which will represent the combined result of the sale of each particular part of the annual product, each part of which has been separately converted into a definite sum of money by sale. From the gross sale of the whole the general rates of wages and profits are and must be derived; and from the sale of each particular part the rate of wages and the rate of profit on that part, *i. e.*, in that branch of industry, must be measured and defined.

So long as we consider the total product of the United States as a unit or single subject of division, the conception of that division may be limited to the two objective points of profits and wages.

Reverting to the algebraic formula, a simple statement serves: x being the value of the annual product, the formula is: $x - a$ (profits) $= b$ (the sum of the wages of all persons employed). But when we take up any special art the proposition becomes a very complex one, and it is extremely difficult to separate the various elements of a given cost, except by the measure in money in which such elements of cost are usually expressed. Each part of the work must be considered separately, in order to prove that the rate of wages of each body of workmen who are engaged in each part of the work constitutes a remainder over, and is a result or consequence, rather than an element or measure of cost.

THE PROBLEM IN COTTON MANUFACTURE.

We may perhaps solve this problem by an example, and for this purpose a cotton fabric may best be taken, because it is an example of production to which the highest art in the application of machinery is necessary in one department, as well as the lowest-priced manual labor, but little aided by machinery in another.

The elements of a cotton fabric are:

1st. Cotton, including the profit of the cotton farmer, the wages of the cotton laborer, and the wear and tear of the capital or tools used in the production of the fibre.

2d. Other materials, which need not be considered separately, as the same principles which govern the supply of cotton also govern these.

3d. The transportation or movement of the cotton to the factory.

4th. The wear and tear or depreciation of the factory, resulting both from use and from the invention of better machinery.

5th. The wages or earnings of those who do the work.

6th. If taxes are levied upon machinery, the capitalist will also assure himself that he can charge the taxes as a part of the money cost of the goods before he builds the mill, and thus distribute them upon consumers, but they do not of necessity enter into this consideration.

With respect to cotton, no attention need be given to any assumed value of land in the southern United States, considered merely as land. The area of cotton cultivation has never yet equalled three acres in one hundred of the area of the cotton States, and if the same measure of intelligence were applied to cultivation in all the States which was given to cotton production

by the late Farish Furman, of Georgia, the whole commercial cotton crop of the world, including that of the United States, India, Egypt, and South America, could be produced on one fifteenth part of the area of the single State of Texas.

The price of cotton, therefore, yields profits to the farmer and wages to the laborer; as time goes on, the two are becoming more and more identified. The price of the cotton is determined by competition in the great markets of the world—in Liverpool, Havre, and New York. When the cost of transportation has been set aside and the profit of the cotton farmer has been realized the remainder over, although it is but a small sum per pound, yet suffices to pay the laborers upon the cotton farms of the United States the highest *rate of wages* earned by the cotton cultivators of the world—a far higher rate than can be attained by the ryots of India, the fellahs of Egypt, or the peons of South America. The purchasing power of the wages of the negro of the southern cotton field is also very high when measured by his wants; he prefers bacon and corn—"hog and hominy"—with a little molasses, to any other food; his week's ration consists of three and a half pounds of bacon and one peck of meal, and this can be furnished him at fifty to seventy cents per week, according to the season and to the abundance of the western crops, or at seven to ten cents per day. The food of the rice-fed races of India costs less nominally, but if consideration be given to the force concentrated in and represented by the food, there is probably no other laboring force in the world which can be subsisted at so low a cost, either measured in labor or in money, as the freed negroes of the South.

The price of raw cotton being thus determined, the place at which it may be converted into cotton cloth must next be determined. Into this question many conditions enter:

1st. The use of water or steam power.

2d. Climatic conditions.

3d. The density of the population and the capacity of the separate members of the population to do the work.

4th. The proximity of the factory to the market in which the principal demand exists.

5th. The consuming power of the community in the midst of which the factory is placed, and their ability to buy the products

for which the cotton fabrics made in excess of their own wants are exchanged.

Omitting all consideration of fine cotton fabrics, which perhaps depend upon the relative or constant humidity of the atmosphere in the choice of the place where they are to be made, but which are of little relative consequence in the supply of clothing,—and limiting our attention to pure cotton fabrics of heavy or medium weight, which constitute the most important portion of the supply of such fabrics, it appears that the lowest cost of production has been attained in some of the principal factories of New England. The fabrics of these factories meet those of other countries in China, India, Africa, and South America, and are there sold in competition. The price received has thus far sufficed to defray the cost of the materials, the transportation of the cotton from the southern field to the northern factory, the heavy local taxes, and a reasonable rate of profit to the owners; and the remainder over has sufficed to give the operatives the highest rate of wages earned in this art in any part of the world. Whether this superiority can be maintained by New England in competition with the Piedmont section of the Southern States is now considered an open question by some observers. In this paper it will suffice to call attention to two facts by which the propositions herein submitted are fully sustained.

MR. ATKINSON'S MAIN PROPOSITIONS.

1st. That in this art the rate of profit in a given product has steadily diminished, and the rate of wages (or of the remainder over) has as steadily increased.

2d. That in the most important division of this art, to wit: the manufacture of coarse and medium fabrics from cotton unadulterated with clay, the highest rate of wages (or remainder over) is realized where the cost of production is lowest, *i. e.*, in New England.

In treating this subject it matters not whether this result has been reached by means of a protective tariff, or in spite of one. It is admitted that special rates of wages in a particular art may be raised by the exclusion of a foreign product of like kind, so long as the price of the domestic product is maintained above what it would otherwise be; but this is exceptional. I have selected examples of products of which the price is determined

both by domestic but also by foreign competition, in order that the main question may not be confused by any prejudice for or against any special policy. Reference will be made hereafter to the conditions under which the policy of protection may or may not be expedient.*

* In this connection the writer may venture to express an opinion as to the place in, or section of, the United States where the cotton manufacture will be gradually concentrated.

It has been submitted that the most ample capital and the most skilful labor will tend to the most favorable place, because at that place the remainder over of which wages consist will be the greatest proportion recoverable from the sale of the product.

Steam having substantially displaced water as the motive power of the factory, the climatic or atmospheric conditions in which the cotton fibre can be most successfully spun and woven have become perhaps the most important elements in determining the place of conversion. In England there is a steady and constant trend of the spinning mills to the points where the deposition of moisture is most uniform, and where the humidity of the atmosphere is most constant. There is scarcely a spindle left in Manchester, and there are eleven million spindles in Oldham, a town which has grown from insignificance to this importance in a very few years. It is about 800 feet above the level of the sea, on the edge of the level moors, at a point where the deposition of moisture is constant. In this country it may perhaps happen that cotton spinning will be concentrated more and more along the coast of the southeastern part of Massachusetts, in Rhode Island, and along the coast of Connecticut, where the influence of the Gulf Stream is most apparent, and where cotton and fuel can be laid down at the least proportionate cost of transportation. It will be observed that in the annual expenses of families living upon an income of $500 to $800 per year, the cost of mere subsistence is sixty per cent. of the whole expenditure. In the section designated, the staple articles of western food — grain and meat — can be delivered at a cost of $5 per ton for over 1,000 miles of distance, and one ton suffices for a years' ration of grain and meat for four or five persons. On the other hand, this section has a positive advantage over almost any other in respect to groceries and in the supply and preservation of vegetables, while its distance from the cotton field is fully offset by its greater proximity to the principal markets for goods. The colder climate of winter gives a necessary stimulus to industry, and is more readily modified than the excess of heat in the southern summer. Hence it may happen that at this point, or in this section, the highest wages will always be the remainder over from the manufacture and sale of staple cotton fabrics.

In this section the population will also be likely to remain more dense, and also more capable of great diversity of employment and subdivision of labor. These are very important considerations, since the margin of profit is becoming less and less. It may almost be said that in all the great arts the profit is found in the utilization of the waste or of the secondary product of the factory, and in the facility with which the machinery can be kept up without the necessity of maintaining a large force of spare hands under constant pay. Hence the isolated cotton mill, which is far away from the paper mill on the one side and the machine shop on the other, is at a relative disadvantage which tells against it in the close competition under which a quarter of a cent on the yard of cloth is equal to four or six per cent. on the capital invested. This tendency of particular arts to become fixed in particular places calls for more attention than has yet been given to it, in order that the reasons may be fully comprehended and their influence on wages considered.

It would be a matter of curious interest to study the forces or influences which made gloves the chief product of Gloversville in New York, and gave the town its name; why card clothing is made chiefly in Leicester and Worcester, Mass.; why men's heavy boots are made in Spencer and Brookfield, and women's boots and shoes in Lynn; why brass work of certain kinds is conducted so largely and exclu-

Wages are held to be a consequence,—a result,—a remainder over after capital has received such profit as will have induced it to undertake the work; *the rate of wages cannot, therefore, be considered a true measure of the cost of production.* Wages are a consequent result, and their measure or rate is, and must be, determined, in the long run, by what the product will bring, and not by what the capitalist may either promise or be willing to pay for a given time. He may not be able to forecast the future in such a manner as to be able to carry out a single promise which he has made in advance of the sale of his product. The *sum*, but not the rate, of the wages in any given quantity of products, may serve as a means of comparison of the money cost, when persons who are engaged in the same branch of business desire to compare their conditions; but the rates of wages constitute no measure of comparison, unless the conditions under which the work is done,—that is to say, unless the quality and kind of machinery, the materials used, the advantage of position, the hours of labor, and other elements of the real cost, are absolutely identical.

I have said that in a country which is inhabited by a homogeneous people, the rate of wages will be highest where the conditions of production are most favorable, because the quantity or intensity of the labor will there be least and the product will there be greatest. In like manner, when exchanges are made between two different countries, each country will exchange with the other some portion of its own product, which it can make under the most favorable conditions, or in excess of its own needs. The two products being each converted into terms of money will be exchanged as equivalents, without any regard to the proportion or quantity of labor which each represents. We may exchange one day's labor in a Lowell factory in the manufacture of drills, for one hundred days of labor in China in the preparation of tea. It

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sively in a few towns in Connecticut; etc., etc. There are, of course, very obvious reasons why primary work of many kinds should be found in special places, but the reasons for the concentration of secondary work are not so plain, and a study of the causes might yield most valuable results, especially in their effect upon the remainder over which makes the rate of wages in these arts.

The time has been when fine cotton yarn has been spun in England, sent to France to be woven, to Germany to be dyed, and brought back to England to be sold. The best flour of Minneapolis is even now in some small measure sent to London to be baked into biscuit, and is brought back to Boston and New York to find a market. If profits and wages were not recovered from these movements in greater measure they would not occur. What are the subtle causes of such commerce?

matters not what the rate of wages of the Lowell operative had been, or what the earnings of the Chinamen handling tea had been; their product is converted into terms of money, and is exchanged at certain prices which represent a given number of yards of drills for a given number of pounds of tea. Each is an equivalent to the other. No one asks what the rate of wages or the quantity of labor in each has been. The wages are the result, not the antecedent.

When the exchange is continued, it proves that each party makes a profit by the transaction. The Lowell operative could not have produced the tea, the Chinaman could not have produced the American drill; when the exchange is made, the tea sells in America for more than the equivalent of the drill there, and the drill sells in China for more than the market price of the tea there; therefore, there is a certain sum of money, or result of labor expressed in terms of money, to be divided among the laborers in each country, in excess of what there would have been had not the exchanges been made. The final result of the labor of the Lowell operative is the number of dollars which the tea brings, less the cost of transportation; that sum is more than the drills would have brought at home, else they would not have gone to China.

Try this on a little larger scale. We now import into the United States, annually, materials which are free of duty to the value of $200,000,000, and we exchange for them, at this measure in terms of money, the surplus of our cotton which we could not now spin ourselves,—the surplus of our oil which we could not now burn ourselves,—and the surplus of our wheat which we could not now eat, even if every man had every day all the bread he could possibly consume. What we send out is our surplus, our excess, a part of our *over-production*, which could not be converted into terms of money at any price, or which would have reduced the price of the whole product if it were retained; if retained at home it would yield nothing to divide in terms of money as the equivalent of such excess among those who did the work. But the substances for which we have exchanged this excess having been brought into the country where they do possess a value of $200,000,000, or more, there is that additional sum to be converted into terms of money and subdivided in profits and wages. In the use of this foreign material, much of which enters directly into the work of domestic manufactures, all wages are therefore, by so much higher than they

would have been otherwise. There is so much more to be divided in terms of money, because so much has been added to the quantity of things which could be used; while the cotton, oil, and wheat sent out from the country could not have been used. Now, it matters not what may have been the rate of wages paid in the production of the cotton, wheat, or oil; and it matters not what may have been the rate of wages paid in raising the wool of Australia, in making the tea of China, or in saving the hides of South America. We may receive the work of ten men for one day at twenty cents a day, for the work of a single man working one day for two dollars. By so much as the quantity of labor in our exportable commodities is less than the labor in those which we import, will the rate of wages be higher to our home labor as the necessary result of the exchange, because so much additional substance has been added by import from abroad to the quantity of things for which a home market could be found. This import has been received in exchange for home productions, for which there is no market, because they are in excess of home wants. There can be no continuous commerce unless there is a continuous service or profit to both parties.

It follows that the nation which has diminished the quantity of human labor in greatest measure by the application of machinery, produces goods at the lowest cost, and by exchange with the hand-working nations, who still constitute the majority of the people of the world, are, by way of such exchange, enabled to pay the highest rate of wages in money, because their goods are made at the lowest labor cost. This is the secret of English commerce.

The rate of wages is higher in England than in any country with which she makes large exchanges, except the United States. She buys largely from us in spite of our higher wages, because by way of high wages, we make grain, cotton, meat, oil, and many other articles necessary to her use, at a lower cost in money than any other nation.

Having thus attempted to present the principle at issue in this matter, let us now consider its application. The only problems of any great importance, which are now presented to the people of this country for their determination, consist of the various problems in regard to the collection of the revenue, to the banking system, to the quality and kind of coin which shall be a legal tender in the settlement of debts, and other fiscal questions. The

tariff, the currency, the banking system, and the coinage, are the only political questions of any moment. Fortunate for us that it is so, and that we are free from the complications of other countries. Strange it is, and true it is, that the most difficult political question to be dealt with by the people of the United States is, *how to get rid of a surplus revenue.*

Neither one of these problems can even be stated without immediate reference being made to their bearing upon the rates of wages of the people of this country.

Aside also from questions of revenue, banking, and coinage, the relations of men to each other cause discussion, — the hours of labor, the respective duties and rights of employers and employed, competition and cöoperation, and all the other subjects which are customarily summarized under the general term of "the labor question." Not one nor all of these questions can ever be discussed without an immediate consideration of the rate of wages. In every speech, in every essay, and in every conversation by the way, upon any of these subjects, the *rate* of wages comes at once to the front, and, as a rule, one or the other of the following propositions is almost invariably assumed, all of which are the very reverse of being true, and all of which are inconsistent with the law of wages which I have attempted to propound. All such discussion serves but to confuse the mind, simply because no distinction is made between the rate of wages and the sum of wages, and because it is assumed that all laborers or operatives are equally efficient.

I again desire to express the hope that the form of these propositions may not prejudice any one, be an advocate of protection or of free trade. The so-called principle of *laisser faire* is by no means implied in this treatise. The welfare of laborer and capitalist rests upon many other conditions than the rate of profits or wages, but the forces which determine these rates must be fully considered before any intelligent discussion of any social question can be undertaken. It is to these forces that I have endeavored to limit this treatise.

THE FOUR FALLACIES.

Popular Fallacy No. 1. The cost of production of any given article can be ascertained by finding out and comparing the *rates* of wages paid in its production in different places, here or elsewhere.

Popular Fallacy No. 2. Low *rates* of wages are necessary

to low cost of production; high *rates* of wages can only be paid consistently with high cost of production.

Popular Fallacy No. 3. Inasmuch as laborers work for wages, wages enter directly into the cost of production, therefore cheap labor can only be assured by the payment of low *rates* of wages.

Popular Fallacy No. 4. An employer must of necessity be able to hire laborers at low *rates* of wages in order to make goods at low cost.

Now if one asks any employer which workman is the first one to be discharged in a period of depression,—the workman who, being employed by the piece, earns the lowest rate of wages for himself, or the one who earns the highest,—unless some other question than the mere cost of goods enters into his consideration he will reply: "Why, the poor workman will be discharged first, of course,—he who earns the lowest rate of wages." Each employer understands perfectly well in his own business that the cheapest man,—that is, the man who does the most work for the least money, is the one who works the greatest amount of machinery with least stops, *i. e.*, the most effective workman; in manual labor it is the strongest; in a handicraft it is the one who possesses the greatest manual dexterity; in the operation of machinery it is the one who understands the machine best and can get the most work out of it. The very man who may have taken part in a discussion in which he has assumed that the popular fallacies which I have recited are unanswerable truisms, will never conduct his own business consistently with them, and if he did he would be sure to fail sooner or later.

The true cost of any given article is the quantity of labor or the human effort expended in its production; now, if we consider a human being as an automatic machine, similar to any other mechanical power or force, the true cost is the quantity of food and fuel expended in the conversion of a given amount of material substance into human force. How true this is has been proved by Brassey in his comparison of the cost, even in money, of the labor of the English navvy as compared to the Hindoo or any other of the rice-fed people of the world. This human effort is measured or converted into terms of money, and it is the sum of the wages, not the rate, which constitutes the money cost; to this sum the rate of wages may bear a large or a small proportion.

Wages in money are the instrumentalities for procuring food, fuel, and shelter; and the worker is practically the more effective, the more money he can earn, or, in other words, the more money he can spend in a judicious manner for a good subsistence. The English navvy may be instanced again as being worth twice as much, either in the measure of his work, or by converting the measure of his work into wages, as the rice-fed coolie. He earns more, he spends more, he eats more, and he does more than double the work. Therefore, although he attains a high rate of wages, the result of his labor will be a lower cost of production. Again, the skilful weaver who can tend six looms, and keep each loom moving, being paid by the piece or according to the quantity of cloth woven, earns higher wages than the unskilful weaver who only tends four looms, and has one stopped a large part of the time; the sum of the wages of the six-loom weaver is the least in proportion to the quantity of cloth produced. The high wages represent the low cost.

Not very long since, a German steamer on the way to New York, was very much damaged, so that very extensive repairs became necessary. It was decided to do the work of repairing in New York, as it appeared difficult to send her back to Bremen; but the agents were instructed to report in Bremen, day by day, the number of men employed and the rates of wages; which report they made. When the first report was received in Bremen, a telegraphic message was returned, ordering the steamer back to Bremen for the completion of the repairs, for the reason that the owners of the line said that they could not afford to pay such high rates of wages, being well assured that the cost of repairs would be more than what they would of necessity expend in Bremem. But it was too late; the work had begun and it was necessary to finish it in New York. When the final account of the *sum* of wages was sent to Bremen, it proved to be a less amount than the same repairs would have cost in Bremen. Since then there has been no reluctance to repair these German steamers in New York.

Again, the rate of wages may be precisely the same in two factories in the same place, and yet the cost of production will vary so much that one mill will prosper while the other will fail, because the quantity of product will vary, and the profit or loss of any textile factory rests mainly upon the quantity of yarn spun and of the goods woven. There may be many reasons for this

difference: in one mill the machinery may be old, in the other new; in one the material may be well selected, in the other badly; in one the goods may be well sold, in the other badly sold; in one the goods may meet the fashion, in the other they may be out of date, although better in quality. Under all these varying conditions, the source of wages being the money produced by the sales, high wages may have been paid consistently with low cost of production in one factory; and low wages may have been paid, notwithstanding the high cost of production, in the other; or, if the cost of production be the same, the goods of one mill being well sold and those of the other ill sold, the sum left to be divided might amply suffice for high profits and wages in the one case, and be deficient in the other. Thus, difference in management will alter results, in the same place, at the same time, in the use of similar machinery. The same management will yield different results, both in profits and wages, on different machinery. The same management and similar machinery will yield high wages in one place, and the reverse in another, at the same time, because the conditions vary in other respects.

I have submitted these several propositions under the name of popular fallacies. It will be apparent that a very large part of the discussion in respect to hours of labor, in respect to taxation, and to all other matters connected with the so-called labor question, are commonly based upon them, and the common conclusions are as fallacious as the propositions.

A true theory of the source of wages and their actual relation to productive industry is therefore necessary to any intelligent discussion of any of the questions now before the country.

THE QUESTION OF WAGES IN GENERAL.

The wage question must be treated from four points of view.

First.—What individual effort is required to earn a given sum of money in a given time?

Second.—What is the purchasing power of that money?

Third.—What are the relative efforts, as well as relative sums of money earned in the form of wages, by those who compete in a given product in the same or in different countries?

Fourth.—What is to be considered in addition to the cost of materials and the rate of wages, in placing the goods produced at the point of consumption?

The fallacies which have been previously submitted may be met by counter propositions, all of which can be substantially sustained; exceptions being readily designated, and the reason for such exceptions being readily found.

First.—The rate of wages constitutes no standard even of the money cost of production; which cost must be made up by adding together the sum of all wages and dividing by the product, in order to establish a unit of cost in money by way of a unit of measure—whether by the yard, barrel, or pound.

Second.—Low rates of wages are not essential to a low cost of production, but on the contrary usually indicate a high cost of production,—that is to say, a large measure of human labor and a large sum of wages at low rates. Conversely, high rates of wages may, and commonly do, indicate a low cost of production,—that is to say, a small proportion of human labor and a small proportionate sum of wages at high rates in a given quantity of product.

Third.—Cheap labor, in a true sense, and a low rate of wages are *not* synonomous terms, but are usually quite the reverse.

Fourth.—An employer is not under the necessity of securing labor at low rates of wages in order to make cheap goods, but he may and commonly does pay high rates of wages, for the very purpose of assuring the production of goods at the lowest cost,—that is, in order to be able to sell them on the lowest terms, or "cheap" in the popular sense.

The abuse of the word *cheap* leads to more mischievous fallacies than any other abuse of language. The cheapest labor is the best-paid labor; it is the best-paid labor applied to machinery that assures the largest product in ratio to the capital invested.

If these propositions can be sustained, it may be submitted that the more the capitalist increases his wealth and applies it to reproduction, the more the welfare of the laborer is assured. The competition of capital with capital tends constantly to a decrease in the ratio of the profit of capital to the total production, and of necessity tends also to a constant increase in the rate of wages of the laborer; thereby more than counteracting the tendency of the competition of laborer with laborer to diminish wages.

I will now attempt to prove these apparently paradoxical propositions by one of many examples by means of which this theory can be sustained. It will be taken from the records of the cotton manufacture, not only because this branch of industry is most fa-

miliar to myself, but because it was almost the first of those which were brought under the factory system by division of labor, and under this system factory accounts have been kept in the same way from the very beginning.

THE MASSACHUSETTS COTTON MANUFACTURE FOR FIFTY YEARS.

In 1830, when the first statistics in my possession are dated, the average earnings of all the operatives in a large cotton-mill, who then worked thirteen hours or more a day, and among whom were comprised a much larger proportion of men than at the present time, while the women were older and there were fewer children, were $2.50 to $2.62 per week. The quantity of machinery which each hand could tend was much less; the production of each spindle and loom was less; the cost in money of the mills per spindle or loom much greater, while the price of cloth was at times more than double the price at which it can now be sold with a reasonable profit. The average earnings of all the female operatives in what purports to be the same factory, at the present time, on the same fabric, working ten or eleven hours a day, under vastly better sanitary conditions, both in the factory and in their dwelling-houses, are $5 per week, and in some cases even $6—or more to the most skilful. That is to say, women only now earn about twice as much in ten hours as men and women combined averaged in thirteen hours a little over forty years ago. Between these two dates, subject to various fluctuations from temporary causes, the course of events in this branch of industry has been as follows: A continuous reduction in the hours of labor, coupled with an increase in the earnings per hour; a diminution in the money value of the machinery,—that is, in the ratio of capital to production, coupled with an increase in its productive efficiency; a constant increase in the supply of cotton fabrics per capita, coupled with a decrease in the price; a continuous increase in the purchasing power of gold dollars in respect to almost all articles of necessary subsistence, a few articles only having advanced in price, mainly meat and timber.

In all these points the cotton manufacture is not exceptional, but the same facts can be proved in respect to all other branches of industry where the accounts have been kept upon a uniform system.

After making all necessary corrections in the data respecting

cotton fabrics, on account of the variations in the price of raw cotton, it therefore appears that the apparently paradoxical propositions which I have submitted—the reverse of those which are commonly accepted—are fully sustained.

First.—The rate of wages paid has not been a true measure of the cost of production.

Second.—The lowest rate of wages have been paid when the cost in money was the highest, and the highest rates of wages are now paid when the cost of money is lowest.

Third.—Low wages and cheap labor have not been synonymous terms. That labor has, in fact, proved to be cheapest by which the largest product for each dollar expended was assured, and that has been the highest paid labor.

Fourth.—The employer has not been under the necessity of paying low wages in order to make low-priced goods,—the goods now made at the rate of $5 to $6 per week being sold at less than one-half the price, in many instances, of those which were formerly made at the rate of $2.50 to $2.62 per week. Not only is the capital in the cotton-mill now less than one-half what it was in 1830, even when measured in terms of money, in ratio to the value of the product, but the average rate of profit which capital now rests satisfied with is less than one-half on each dollar invested what it was in 1830. Hence the competition of capital with capital has increased the quantity of cotton cloth at a decreased rate of profit. On the other hand, the competition of labor with labor has not prevented the continuous rise in the rate of wages, and these wages have more than doubled in the purchasing power of each dollar, by comparison with the cotton cloth in the making of which they have been earned. In respect to some kinds of cotton cloth, such as printed calicoes, the actual weekly wage of to-day will buy four or five times as much as the weekly wage of forty years ago. In this branch of industry, at least, all interests have thus been harmonious. The increase of wealth in the cotton manufacture has been accompanied by a yet greater increase in the welfare of the cotton operative, while both have been accompanied by a vastly greater supply of cotton fabrics, and by their increased consumption at lower and lower prices.

These data have been compiled from the accounts of certain factories which have never become bankrupt—whose stock has never been reduced in its par value, and which have paid a fair average

dividend to their stockholders, from time to time, since they were established to the present day. I have taken as examples coarse fabrics, the common wear of the million. During this period, from 1830 to 1884, this branch of industry, like all others, has been subjected to over thirty changes in the tariff; to the suspension of specie payments in 1837 and 1857, brought about by purely commercial crises; to the suspension of specie payments at the beginning of the war, brought about by the imposition of the Legal-Tender Act; to a variation in the price of cotton from five cents a pound to $1.83 per pound; to the weary depression from 1873 to 1879; to several minor commercial crises. They have also been subjected to numerous acts of interference on the part of the State Legislature in the conduct of their affairs. If constant vascillation and change in acts of legislation, in respect to the tariff, currency, banking, bankruptcy, taxation, hours of labor, and other acts which are now deemed of present permanent interest to legislators, could have killed these establishments, they would have long since been very dead. May not this prove that we depend much less upon governments and upon statutes than we think we do? We are almost forced to accept the dogma of Buckle, that the greatest service of modern legislators is to repeal the obstructive statutes of their predecessors.

The same progress and improvement in the condition of the operative has occured in England during the same period; only the change has been greater there than it has been here, because the English operatives started from a much lower plane and have now nearly attained an equality with the condition of our own in many departments.

We may now recur to the question, What makes the rate of wages? In other words, Why are the average wages expressed in terms of money in the same factory nine to ten cents an hour today, against three and a half to four cents an hour forty or fifty years ago, while the rate of interest or profit on capital, when invested in the safest possible securities, is now only three to four per cent. against six, eight, or even ten per cent. then?

NEW ENGLAND AND NORTH CAROLINA.

In order to bring out the point of this argument with yet greater clearness, having already compared one period of time with another in the same factory, we may now compare one mode of

work in this art with another in the same country in two different places, to wit: Let us compare the homespun fabric of Western North Carolina with the factory cottons of New England. It is computed by men who have had much experience, and whose observations are entitled to credence, that there are two or three million persons living in the heart of the United States, in the mountain section of the South, who are still clad in homespun fabrics of cotton and of wool. I have myself been among them, and have examined the conditions of the art of making cotton goods as it there exists. Two carders working with hand cards, two spinsters operating spinning-wheels, one weaver working a hand-loom—five adult persons in all—convert four to five pounds of cotton into eight yards of cloth in ten hours; the cloth heavy, rough, and unsightly, very durable, and worth in the neighborhood, when sold, about twenty cents a yard. If the value of the cotton be deducted, the five persons might possibly earn twenty cents a day, the total value of this product being $1.60. The capital invested in the hand machine can hardly be computed, because the only thing purchased would have been the two hand-card; but if the hand labor expended in the construction of the spinning-wheels and hand looms were computed in money, the whole investment might come to $100. The proportion of capital used, in its ratio to the annual product would therefore be very small, and the ratio of labor, even at twenty cents a day, be very large. In New England, $5,000 worth of capital, operated by five persons, male and female, averaging each one dollar per day in wages, will suffice for the conversion of three to five hundred pounds of cotton into eight hundred yards of the same kind of coarse cotton cloth; the cloth softer, more sightly, and not quite as durable; when sold as low as even seven or eight cents a yard, yielding money enough to pay for the cotton and other materials, profit enough to pay ten per cent. on the capital, and yet leaving as a result for the wages of the operatives one dollar a day as their share of the product. Between these two extremes every phase of the progress of a century in the art of cotton-spinning and weaving can even now be observed, in a journey of a week, from Boston to North Carolina and back. The small mill, like that of 1830, fitted with old, heavy, slow-moving machinery, still exists, in which twice or thrice as many Southern operatives, working thirteen hours a day, at two-thirds the rate

of earnings made in Lowell, get off a less product of cloth at a far higher cost. As we journey back toward the North, the mill becomes larger and more effective, until we arrive at the great factories in New England, where the highest wages are paid and the lowest cost of production is assured. The same or even greater extremes may be found by comparing India and China with England; while the cotton-mills of England, when compared with the factories of Germany and Italy, although the machinery may have been made by the same makers, yet show the same rule —a larger number of persons, less effective work, lower rates of wages, and higher cost, as we go away from England to Germany, to Austria and Italy.

THE TRUE THEORY OF WAGES AND PROFITS.

It would, therefore, appear that wages are a remainder over from the sale of the product, and are determined by the sum of money which that product will bring in the markets of the world. From this sum of money must be assigned:

First. — A portion or sum sufficient to restore the depreciation of the capital used, — in other words, to keep the machinery in effective condition.

Second. — A sum equal to the average rate of profit on capital invested in the very safest securities, and, in addition to that rate, as much more as is necessary to compensate the owner for the greater risk of one branch of work as compared with another.

Third. — The cost of the materials.

Fourth. — The sum needed to secure the very best administration.

Fifth. — The proportion of the national, State, and municipal taxes which are collected from the consumers of the goods through the instrumentality of the person, firm, or corporation owning the property; which taxes enter into the money-cost of the product, and must be recovered from the sales.

Lastly. — The remainder over constitutes the wages or earnings of the laborer, whatever that remainder may be.

Profits, taxes, and wages are therefore alike derived from the sale of the joint product of capital and labor.

Unless one branch of industry yields the average of all branches, due regard being given to the greater or less risk of each as compared with the other, it will not be undertaken; or, if undertaken,

it will not long continue to be pursued. Wages, therefore, are apparently deferred to profits; but, on the other hand, wages constitute *all that there is left*, and under the inexorable law of competition of capital with capital, the profits of capital are constantly tending to a minimum, while the rate and purchasing power of wages are both constantly tending to a maximum. Capital is always ready to take the risk and to become the guaranty or insurance fund for the recovery from sales of goods of higher and higher wages for any kind of skilled labor which is capable of increasing the product of any given quantity of machinery. From the sale of this increased product, in the first instance, capital gains. More of the same machinery is then added, and, as it becomes greater in quantity and more effective in use, the rate of profits diminishes, although the aggregate may increase; in other words, capital secures a less and less proportion of the constantly increasing result, while labor receives all that there is left over. That is, the remainder over is constantly becoming a larger and larger proportion of an increasing product. There are, of course, temporary fluctuations; but both observation and experience combined with statistics, confirm this rule, both in this country and in England. In other words, the rule laid down by Bastiat is sustained by experience; the aggregate profit of capital is augmented, but the relative profit is diminished, while the wage of labor is increased both absolutely and relatively.

I had been engaged in this examination and compilation before I even knew that Mr. Robert Giffen was engaged in the same work. His results and my own, covering a period of fifty years, are identical.

THE ADVANTAGES OF THE UNITED STATES.

Having thus attempted to answer the general question, What makes the general rate of wages? now let us give a few moments to the particular question, What makes the rate of wages higher in this than in any other country? In order to give an intelligent reply to this question, we must treat the annual product of the United States as a whole, and consider only the general rate of wages in this country. In some particular branches of manufacture, or in some hereditary or national arts, other nations may still apply machinery more effectively than we do; and in some special branches of agriculture, such as wine, olives, sugar, and the like,

other countries may either possess better conditions, or for the time being, greater skill. On the whole, however, the people of the United States are in the possession of more ample and varied natural resources, and of the most effective capital in the form of machinery; they are also endowed with greater facility in the adaptation of machinery both to agriculture and to manufacturing; they possess more effective mechanical instrumentalities of distribution by rail and river; they enjoy a continental system of unrestricted commerce between the States; They have a fairly complete system of common education; but lastly, they are subjected to the least diversion of any part of their annual product to purposes *of destructive taxation*, — that is, to the support either of standing armies or of privileged classes. I do not recite our advantages in a boastful way, but in order merely to bring out the salient point, that *while other nations prepare for war, we prepare for work.*

Our only great war has been fought in the interest of labor, in order that labor might be free. It gave such an incentive to invention in the North that all our principal crops increased during this period even though a million men were taken away from their work. It opened the way for the Southern States to such conditions that the South itself is today richer and more prosperous than in the palmiest days of slavery. Our national debt, in 1866, was $83 per head of population. It is now but $25 per head, and will soon be wholly paid.

When two simple principles shall have become a part of the common knowledge of the people of the United States, the end of all standing armies in the civilized nations of the world will have come.

These two principles are:—

First.—All nations are interdependent, and in all commerce both parties gain in welfare.

Second.—In all arts which are not mere handicrafts, high wages in money are the necessary result of low cost of labor of production.

In the grand competition for the commerce of the world, which now turns on a cent a bushel, a quarter of a cent a yard, or a fraction of a penny on a pound of iron or steel, no nation which bears the burden of standing armies like those of Germany, France, Italy, Austria, and Russia, can hope to enter into successful com-

petition with England or the United States, when the whole English-speaking people take advantage of their position and serve the nations of the world with goods at low cost, in which all who have joined in the work have made higher wages than can be earned in any of the countries named. The commerce of the army-burthened nations, with others, will be destroyed by its own restrictions. Nations can only be ruined by their own burdens;—then what may come? Their own resources will not suffice to sustain their armies, but with the burden of their armies upon them, they cannot engage in competition with England or America; their product will be small and insufficient; their wages very low in their rate, barely capable of buying enough to sustain life,—if even for that,—while their cost of production, as a whole, must be very high.

It is difficult to foresee the course of events. These armies are as impossible to be disarmed as they are incapable of being sustained, without revolution and destructive war. What will be the end, no man can tell!

In contrast with these adverse and costly conditions, the English-speaking people may well rejoice in the relative freedom of Great Britain and the absolute freedom of the United States. With respect to my own country, I may venture to say, that in addition to the advantages I have recited, our taxes are, on the whole, constructively expended. The necessary result ensuing from our conditions is a larger annual product in ratio to the number of persons employed in making it, measured either by quantity, or, when brought into competition with the world, by price or the sum of money which is received for it, than can be elsewhere attained. It is also, as a rule, of better quality, because of the more intelligent methods applied to its production. If we consider production as a whole, our annual product comes into competition for sale, with other products of the world of like kind, and its price, as a whole, is determined, directly, or indirectly, by this world-wide competition. From this determination of its price, its value is converted into terms of money. Quantity and quality alike tend to increase the sum of money recovered from the sale, and this sum of money is the sum which is to be divided between capital and labor. Large, general profits and high general rates of wages, are the necessary result.

It is therefore proved to have been absolutely true in this

country, that, in proportion to the increase of capital, the absolute share of the value of the annual product falling to capital has been augmented, but its relative share has been diminished; while, on the other hand, the share that has fallen to labor has been increased, both absolutely and relatively. The generally high rate of wages, expressed in terms of money, in the United States, is the necessary consequence or result of the generally low labor cost of production, — that is, of the smaller quantity of labor by which the production is assured; which less quantity of labor suffices because of the application of the most effective machinery, *i. e.*, of capital, to the work.

Let me give two or three salient examples proving this rule. Man does not live by bread alone; but bread is the staff of life. What people gain their bread with so little exertion of human labor as the people of this country? If we convert the work done in the direction of machinery upon the great bonanza farms of far Dakota, into the yearly work of a given number of men, we find that the equivalent in a fair season, on the best farms, of one man's work for three hundred working days in one year is 5,500 bushels of wheat. Setting aside an ample quantity for seed, this wheat can be moved to Minneapolis, where it is converted into 1,000 barrels of flour, and the flour is moved to the city of New York. By similar processes of conversion of the work of milling and barrelling into the labor of one man for a year, we find that the work of milling and putting into barrels 1,000 barrels of flour is the equivalent of a man's work for one year. By a computation based upon the trains moving on the New York Central Railroad, and the number of men engaged in the work, we find that 120 tons, the mean between 4,500 bushels of wheat and 1,000 barrels of flour, can be moved 1,700 to 2,000 miles under the direction of one man working eighteen months, equal to one and a half men working one year. When this wheat reaches New York city, and comes into possession of a great baker, who has established the manufacture of bread on a large scale, and who sells the best of bread to the working people of New York at the lowest possible price, we find that 1,000 barrels of flour can be converted into bread and sold over the counter by the work of three persons for one year. Let us add to the six and a half men already named, the work of another man six months, or half a man one year, to keep the machinery in repair, and our modern miracle is that seven men

suffice to give 1,000 persons all the bread they customarily consume in a year. If to these we add three for the work of providing fuel and other materials to the railroad and to the baker, our final result is that ten men working one year serve bread to one thousand.

Again, iron lies at the foundation of all the arts. At an average of 200 pounds per head in the United States, the largest consumption of iron of any nation, we yet find that the equivalent of one man's work for one year, divided between the coal mine, the iron mine, and the iron furnace, suffices for the supply of 500 persons. One operator in the cotton factory makes cloth for 250, in the woolen factory for 300; one modern cobbler (who is any thing but a cobbler), working in a boot and shoe factory, furnishes 1,000 men, or more than 1,000 women, with all the boots and shoes they require in a year. So it goes on; and the more effective the capital, the higher the wages, the lower the cost, the more ample the supply.

NATURAL LAWS AND INTERFERENCE THEREWITH.

But in the consideration of this or any other theory of wages, it must always be remembered that these natural laws which govern the actions of men in the conduct of the processes of industry, work very slowly, and are subject to variable causes or interruptions which may suspend, retard, or even reverse their normal action for a considerable period. For instance, the process of making iron, beginning with the mining of the coal and of the ore and ending with the conversion of the materials in the furnace, calls for the use of a very large capital, and for the highest scientific attainments in the heads of departments, and in the administration of the work. It also requires special skill on the part of a small portion of the workmen, but the larger part of the work is not of the kind that calls for any great measure of intelligence, and is, in fact, mainly hand-work. It might therefore happen that the country which first engaged in this branch of industry on a large scale would obtain a paramount control of all markets, and might be able, for a long period, to prevent the building up of competitive works elsewhere. In fact, so long as the only fuel with which iron was smelted was charcoal, the colonies of America were able to supply themselves, and even to export large quantities of iron to Great Britain. But when a method was invented for

the application of coal to the smelting of iron, the supremacy of Great Britain in this art was assured for a long period. A dense population gathered round her mines, skilful enough for this work, but otherwise unintelligent, uninstructed, and irremovable, or practically incapable of meeting the conditions necessary for beginning this work in other countries. Under such conditions as these, the British employers of labor in making iron were in a position which enabled them to keep wages down, and to keep prices and profits up for a long period, as in fact they did. Under such relative conditions the competition with all other countries, especially a country like the United States where population was very sparse and capital was very limited, was of necessity long delayed, even though our deposits of iron and coal are so placed as to be more easily worked. And even though a ton of iron made in the United States now represents a much less quantity or less number of days' labor than a ton of iron produced in Great Britain, it was not always so. It therefore became a mere question of expediency whether or not to interpose a temporary protective duty in order to overcome certain artificial conditions. It was held that a country should render itself substantially independent of all other countries in the making of iron, because iron is one of the essential articles of war. These arguments were entitled to all the consideration which they may deserve. No opinion need here be expressed upon them.

The same retardation in the working of natural laws also occurred in respect to the inventions of Arkwright and others in cotton-spinning. England succeeded for a long time in retaining control of these inventions, which were of prime importance, by making it a penal offence to carry drawings or models to any other country. By this joint control of the processes of making iron and the application of machinery to the cotton manufacture, England obtained the supreme control for a time of this latter art, and fairly succeeded in preventing these modes of work from being carried to this or any other country for very many years. The cotton manufacture was not established in this country until Samuel Slater succeeded in building machinery from memory, having been unable to bring plans from England. Of course such an undertaking was at a great disadvantage. In this case, again, the main question as to the development of textile establishments by means of a protective duty became one of expediency

only. The expediency of these protective duties was sustained upon the ground that although the people were for the time subjected to the necessity of paying higher prices for their iron and for their textile fabrics then they would otherwise have paid, an ultimate reduction of cost and of price to a much lower plane was thereby assured, and has doubtless been accomplished.

These two examples are cited in order to show that this theory of wages does not of necessity carry with it the *laisser faire* idea of legislation. It is not denied that special branches of industry may be promoted by legislation of this sort. It is not denied that wages in that special branch may be temporarily raised, because by means of the obstruction to foreign import which the duty interposes, the price of the domestic fabric is for a time maintained at a higher point than it would otherwise be; and since the sum from which wages and profits are alike derived is the value of the joint product, it follows that, in these particular arts, so long as the protective duty serves to keep up the price, there may be more money to be divided in rates of wages to the operatives who do this special work.

But, it will be observed that such additional profit or additional wage is at the cost of the consumer in the same country, and that there can be no material effect upon the general rate of wages because the number of persons now engaged in any branch of industry which could be subjected to foreign competition is very small in ratio to the whole number of persons engaged in gainful occupation. Such duties may be expedient or not. That is not the question at issue in this treatise. I cite these cases in order that the true theory of wages may not be prejudiced in the mind of any one by any apparent antagonism to the protective theory, which may be justified on entirely independent grounds.

In my judgment the source of wages and the law by which they are determined fail to be comprehended, both by the advocates of protection and free trade, and this failure leads to much useless and bitter contention. If the honest advocate of protection were once convinced that, when an industry had become fairly established, the rate of wages determines itself according to the general average of wages in other work of analogous kind, and that the wages thereafter tend to the share of the laborer becoming greater and greater, he would be less averse to considering the date when the protective duty could either be reduced or removed.

No one but the most confirmed *doctrinaire* can deny that the argument in respect to wages and to their maintenance which is presented on behalf of a protective tariff, is conscientiously presented in the interest of labor on behalf of those who adhere to it.

On the other hand, if the equally sincere advocate of free trade could once be convinced that the continued imposition of the duty does not of necessity involve the continued taxation of the many for the benefit of a few; if he could admit that it might even be expedient, under certain circumstances, for the State to grant a special privilege to some special branch of work for a certain period of time, much foolish talk, bitter contention, and absurd misrepresentation would be avoided.

The tariff question, the protection of women and children in factories from overwork or from injury, and other like subjects of legislation, are questions of expediency, varying with the time and circumstances of each country. They are not like slavery or inconvertible paper money, moral questions, upon which no compromise can be tolerated; but, on the contrary, they are subjects for reasonable consideration and for reasonable compromise among honest and fair minded men. When the whole direction of domestic industry has been in some measure altered by the continued imposition of high duties upon foreign imports which were the necessity of war, nothing could be more injudicious than to adopt revolutionary changes. It may have been bad policy to impose the high duties, but it does not follow that it would be good policy to remove them all at once, or that he is a spoliator who asks time to adjust his capital and the labor which he employs to other conditions.

GENERAL CONSIDERATIONS.

I have recited the various changes which have affected a single textile art. Periods of prosperity and adversity affect all commercial and manufacturing countries alike. They are more intense in one country than another; sometimes more intense in a country which, like Great Britain, depends upon the widest foreign commerce, sometimes in a country which, like the United States, depends mainly upon domestic commerce. Statutes in regard to the collection of revenue, the hours of labor, and the like, may make these fluctuations a little more, perhaps a little less intense, but in the long run they have and can have no permanent effect. Com-

petition adjusts itself to all conditions, and, in the long run, wages or earnings will be the highest in that country in which capital and labor coöperate to the fullest extent, thereby assuring the largest production at the lowest labor cost.

The progress of the United States has been uniformly onward, despite all the vacillations and changes in her financial policy. Our greatest dangers and most serious disasters have arisen from bad money rather than from bad methods of taxation. The danger now before us, growing out of the continued coinage of a silver dollar of light weight, is perhaps the most serious one. Next to that comes the danger growing out of the enormous excess of our national revenue; but even this enormous excess of revenue will itself force upon us a change in our method of taxation. In that again comes a danger, because, next to the evil which may be inflicted upon a country by the imposition of heavy taxes, is the evil which may come from an injudicious method in removing them after the industry of the country has adjusted itself to them.

I have endeavored to separate the fundamental principle of wages from all such side issues, and to prove, with as much scientific accuracy as may be possible, that the interests of the employer and the employed are absolutely identical, and that progress and poverty are not of necessity evolved together under the existing customs of the English-speaking people. I have referred to the admirable address of Mr. Robert Giffen, proving a similar progress to that of this country in Great Britain, and from similar data. I had not read that treatise until after the substance of this essay had been compiled.

Let me refer finally, and but a moment, to one great cause of disturbance in the relations of men to each other. The inventor, the man of science, is the great disturber of existing conditions. He renders worthless great masses of capital which had been valuable; he takes away the hereditary occupation of vast numbers of laborers who may be capable of doing no other kind of work. In the process of adjustment to these new conditions many hardships arise, but the end is progress, both in wealth and in the alleviation of poverty. The only accumulation which has any permanent value consists in that experience and versatility, in that habit and capacity of applying brain and hand alike to any kind of work which is waiting to be done, whereby men are enabled to prosper under any and all conditions. The only capital of any im-

portance, which can be transmitted from one generation to another is this power of applying brain and hand together to useful work, whatever may be the changing conditions under which the work of each generation must be done.

Poverty may for a time ensue, as the consequence of invention and the consequent displacement of labor; but it will be observed that this poverty does not ensue either from the accumulation of capital or from the private ownership of land, so much as it does from the destruction of capital and in taking away the value from land.

The jenny and the mule destroyed the spinning-wheel; the power-loom destroyed the hand-loom; the railroad is destroying the canal; the railroad is reducing the value of land in one place and increasing it in another. The discovery of coal oil would have destroyed the candle market, were it not that a demand for the altars of the Catholics continued to sustain a few candle works. The gas engine is destroying the small stationary steam-engine in England, and will soon do so here. Sir Henry Bessemer has taken from the English land-owner all power to collect any rent from land devoted to wheat. With each of these changes the few suffer for a time, but the many gain in welfare. With each of these changes the proportion of capital necessary to a given production is decreased; great fortunes are lost, unless the owners of such fortunes can adapt their machinery to all the changing conditions; but while some fortunes are thus destroyed, others are gained. At the present time, or we may say for the last three years, half the iron works in the United States have been out of blast, and many will never come into blast again; but during the same three years the production and consumption of iron has been greater than in any other three years since the continent was settled. True prosperity may be gauged by the consumption of iron in all the arts of life, about as surely as by any statistical method. The loss of fortune to a few producers of iron is of no consequence except to themselves, if more iron be provided for consumption. Most of these changes come gradually; some of them come suddenly. What are called hard times, induce the greatest progress. The great crops in this country increased every year during the war, such was the incentive to invention, which became almost compulsory in consequence of the withdrawal of a million men from productive industry.

I have compared the cotton-mill of 1830 with that of 1883, in the same mill-yard; but there is little left of the factory, either mill or machinery, of 1830; and if there were it would be almost useless. The saving in the cost of moving merchandise over existing railroads, comparing one year with the next preceding, that is, over the railroads existing in each year, has far more than equalled the cost of building all the new railroads constructed in the subsequent year for fifteen years, from 1865 to 1880. In other words, the reduction in the charge on existing railroads each year, computed on the quantity of merchandise moved in that year, has amounted to a sum equal to the sum expended in the extension of railroads in the next year, for each and every year since 1865 to 1880.

We have been treating only a question of material welfare: What makes the rate of wages? One answer at least we may surely give. When head and hand are rightly trained together so that a man can do the work which is always waiting to be done, whatever the rate of wages may be, it will suffice for the purchase of good subsistence. He who combines the greatest skill of head and hand in useful work will make that exact progress in the accumulation of wealth which will be the just measure of the services which he renders to his fellow-men. In the last analysis the rate of wages rests wholly on character and capacity, and under such conditions the advancement of science is but another name for progress in human welfare.

I am well aware that there is nothing original in the statement of the fact that the application of machinery to production has a tendency to increase the wages of the workman, and at the same time increase the purchasing power of the money in which wages are paid. This is a truism, but how seldom is it comprehended! Apparently never, in the ordinary discussions. Neither employer or employé can regulate the rate of wages which is to be paid in money, by any bargain or agreement covering a long period. If one employer agrees to pay a higher rate than his competitors, it will only be a question of time when his business will become unprofitable and he must become bankrupt, unless he uses more effective machinery, and thus assures a larger product from a less number of laborers. If any considerable number of employers secure the work of laborers at a less rate of wages than others in the same kind of occupation, unless there is some compensating

advantage to the workman in their special establishments, the mere fact that the laborer is willing to work at such less rate proves him to be incapable or inefficient, and therefore his work will be of high cost.

CONCLUSIONS.

I have attempted to demonstrate that in all productive employment the rate of wages which can be paid in money must depend on the sum of money which is received from the sale of the product. Inasmuch as those who work for wages in strictly productive occupations constitute by far the largest portion of wage receivers, the rates of wages for personal services, which are only indirectly productive, are gauged by the same standard. All profits and wages must come out of the gross product. Furthermore, all profits, wages, earnings, or other income, must be substantially derived from each year's product, because the year corresponds to the series of seasons in which one crop is made. A part of the product of each year is carried over to start the work of the next year upon; but a part of the product of the present year was brought over from the previous year to start the work of this upon. Therefore the measure of what there is to be divided by the measure of money, must, in the long run, depend upon what each year's product will bring in money. If then, the annual product is large, because the resources are great, because capital is ample, because labor is effective, because the army is but a border police,—then the sum of money derived from the sale will also be large, for the reason that in spite of all natural obstructions between one nation and another, the product of one nation, as a whole, comes directly or indirectly into competition with the product of the world.

If the propositions submitted in this treatise can be sustained—to wit: that wages are a constantly *increasing* remainder over after *lessening* rates of profit have been set aside from an *increasing* product, it follows that the ability of a very productive country to find a market for its excess, especially of farm products, is a most important factor in determining the price of the whole product, and therefore in determining the general or average rate of wages and profits which can be recovered from the sale of the whole. Hence arises the importance of our foreign export of the products of agriculture. Even though the quantity exported be but a tithe of the whole, yet the sale of this part

determines the price of the whole, and it therefore becomes a prime factor in the the general rate of wages.

If this latter statement be questioned, it will only need a moment's consideration to determine it. If the surplus or over-production for domestic use, of our oil, grain, cotton, meat, cheese, butter, lard, etc., could not be sold in or exchanged for the products of other countries, what should we do with it? We could not now consume it ourselves; we could not move people from other countries here in sufficient number to consume it in any one year. We cannot establish manufactures more rapidly because goods are already in excess. We must exchange our excess for tea, coffee, sugar, hides, wool, and the like, and in the process of this exchange the price of all our crops is determined by what this excess will bring; the remainder over from these sales establishes the standard of farm wages, by, or in comparison with which, all other wages are in the main determined. Hence the average rate of domestic wages rests in a very great degree, under our present conditions, on our finding a foreign market for the excess of our products of agriculture; if this market is limited or reduced, the purchasing power of our farmers, numbering one-half our population, is reduced, and this reacts on the demand for domestic manufactures. Thus it is, that directly or indirectly the value of our total production is determined by a world-wide competition. What would be the effect of the competition of the laborers who now engage in the production of that which we export if they were forced into other work for domestic use only?

May it not therefore be said that all commerce, both domestic and foreign, is a process of liquidation, by means of which the respective shares of capital and labor are determined, each becoming a larger share of a larger sum recovered from such sales, the wider the exchange of product for product, and the greater the service which each renders the other, whether capitalist or laborer?

Finally, the rate of wages, measured in terms of money, can only be determined by dividing this remainder over, after capital has received its compensation, among the laborers who do the work; the respective share of each laborer is then rated only by his or her individual skill, industry, and integrity. In the end character and capacity determine the relative rates of wages of those who do the work.

I may conclude by again referring to the proposition of Frederick Bastiat, which is the motto of this essay: All interests are harmonious. "In proportion to the increase of capital the absolute share (of the product) falling to capital is augmented, but the relative share is diminished, while the share of the laborer is increased both absolutely and relatively."

[Our space permits us only to give a small part of the appendices which will be found in Mr. Atkinson's volume. The following is the beginning and the conclusion of Appendix I., all the details by which the deductions are reached being omitted.]

APPENDIX I.

This appendix will be very uninteresting except to students. A summary of its contents may, therefore, be given for the benefit of readers, who do not care to go over its dry details, as follows:

Approximate estimate of the value of annual product of the census year		$10,000,000,000
Domestic farm consumption		1,000,000,000
Commercial product		$9,000,000,000
Estimated profits of capitalists	$450,000,000	
Estimated savings of other classes	450,000,000	900,000,000
Wages fund		$8,100,000,000
Number of persons engaged in all gainful occupations in round figures	17,400,000	
Deduct soldiers, marines, and persons engaged in subordinate positions in the government service	100,000	
Remainder	17,300,000	
Administrative force, *i. e.*, mental rather than manual work		1,100,000
Working force, *i. e.*, wage-earners or small farmers		16,200,000
Average remuneration of the administrative force, per year		$1,000
Average wages or earnings of the working force, per year		$432
Gross amount of national, State, and municipal taxes in census year, over		$700,000,000

or eight per cent. of the commercial product.

Each worker is one of a group of 2.93 persons; therefore each average person in a workman's family must find shelter, subsistence, clothing, and pay taxes out of what forty to forty-five cents a day will buy.

Each five cents' worth added to each person's share, or each fifteen cents added to each workman's wages per day, implies, at

the present time (1884) an additional product and sale of commodities worth one thousand million dollars a year, which is about the present value of our wheat product, of our pig-iron product, and of all our textile fabrics of cotton, wool and silk combined.

. . . . . When the complaint is made that a good subsistence and an adequate shelter can barely be obtained by each three persons upon an average income of only $400 to $500 a year, at the retail value of all they consume of their own production, or procured by purchase or exchange for the three, the only remedy which can be provided is to increase the product. If such is the present measure of all there is, then such is the measure of the utmost that all can have. How difficult and how slow such an increase must be, may be comprehended by a very simple statement: Assuming the maximum of $10,000,000,000 given in this treatise as the value in the census year (or $11,500,000,000 now), then over $1,000,000,000 worth of produce must be added in a year, and the prices must be maintained where they are, in order that each person of our present population may have five cents a day more than they now do, or in order that each person engaged in any kind of gainful occupation may be able to obtain an increase in the rate of wages of fifteen cents a day. Upon such small fractions must subsistence depend; and when political leaders present magnificent pictures of national progress, summed up in thousands of millions of wealth or product, these facts may well be recalled.

Even if our progress has been great and our conditions are relatively prosperous compared to other nations, yet the average person, including capitalists, land owners, employers and employed, must have been sustained and sheltered, must have paid taxes and saved profits, out of what fifty cents a day would buy in the census year, *because such was apparently the measure of all there was produced which could be bought and sold or exchanged.*

APPROXIMATE SUMMARY OF INDIVIDUAL INCOME.

Product of the United States, $10,000,000,000, worth per day to each person by estimate		55 cts.
Domestic production consumed without purchase or sale		5
		50 cts.
Share of capitalists	2½ cts.	
Savings of the people	2½	
National, State and municipal taxes	3½	
Cost of mental or administrative work above the average of wages	1½	
Average to each wage-earner	40	
		50 cts.

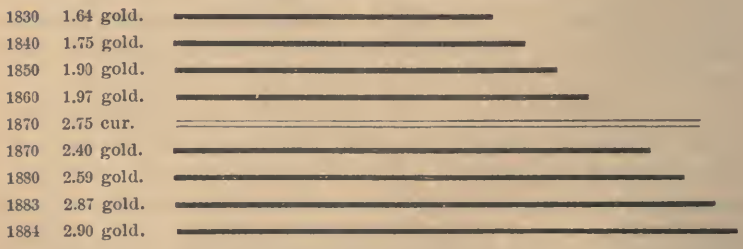
For each error of five cents a day in this estimate—if the reader finds one or believes there may be one,—add one thousand and fifty-eight million and four hundred thousand dollars to my gross estimate, and divide the proceeds among the 58,000,000 persons who will probably constitute our population January 1, 1885.

APPENDIX II.

THE LAW OF COMPETITION: IN ANY GIVEN PRODUCT, PROFITS DIMINISH, WAGES INCREASE.

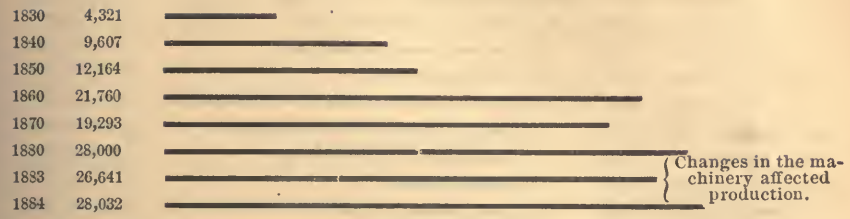
The following deductions have been made from the accounts of two New England cotton factories, both constructed prior to 1830, and operated successfully and profitably since that date, mainly on standard sheetings and shirtings—No. 14 yarn. The figures given, from 1840 to 1883 inclusive, are absolute, being taken from the official accounts of mills, of which the sole product has been a 36-inch standard sheeting. The figures of 1830 are deduced from a comparison of the data of two mills. The figures of 1884 are deduced from nine months' work in 1883–84.

WAGES PER OPERATIVE PER YEAR.



PROFIT PER YARD NECESSARY TO BE SET ASIDE IN ORDER TO PAY 10 PER CENT. ON CAPITAL USED.

YARDS PER OPERATIVE PER YEAR.

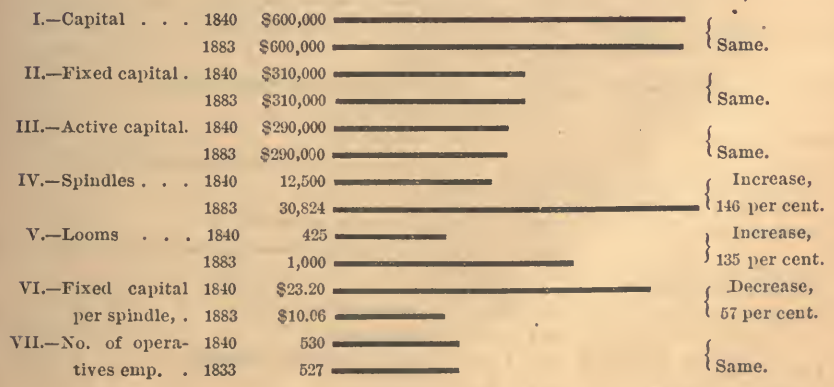


COST OF LABOR PER YARD.

COMPARISON OF 1840 WITH 1883–4.

This comparison will not show the full reduction in the cost of labor per yard which may be expected in 1884–5, because changes have been in progress, which, when completed, will increase the capacity of the mill about 15 per cent., and it is a well-understood rule that, while such changes are being made, the current work of production is done at a disadvantage.

1840–1884.



VIII.—Operatives per 1,000 spindles	1840	42 4-10	Decrease,
	1883	17 20-100	60 per cent.
IX.—Lbs. per spindle per day .	1840	0.456	Increase,
	1883	0.556	22 per cent.
X.—Lbs. per operative per day	1840	10 76-100	Increase,
	1883	31 20-100	190 per cent.
XI.—Hours' work per day . .	1840	+13	Decrease,
	1883	11	15 per cent.
XII.—Lbs. per operative per hour	1840	0.83	Increase,
	1883	2.83	240 per cent.
XIII.—Wages per operative pr. y'r	1840	$1.75	Increase,
	1883	$287	64 per cent.
XIV.—Wages per operative pr. h'r	1840	4.49 cts.	Increase,
	1883	8.80 cts.	96 per cent.
XV.—Wages per y'd	1840	1.82 cts.	Decrease,
	1883	1.08 cts.	41 per cent.
XVI.—Profit per yard	1840	1.18 cts.	Decrease,
10 per et. on capital	1883	0.43 cts.	63 per cent.
XVII.—Price of goods, cost cotton same	1840	9.04 cts.	Decrease,
	1883	7.04 cts.	22 per cent.

COMPARISON OF 1830 WITH 1884.

In this comparison the statements are based in part upon the figures of each mill. Both appear to have cost about $40 per spindle, including dwellings for operatives. More than one kind of goods were made in each for a time, but the figures have been adjusted to standard sheetings, an average having been computed by the yard and pound.

Fixed capital	1830	$332,000	Decrease,
	1884	$310,000	37 per cent.
Spindles	1830	8,192	Increase,
	1884	30,824	276 per cent.
Fixed capital per spindle .	1830	$40.50	Decrease,
	1884	$10.07	75 per cent.
Operatives per 1,000 spindles	1830	49	Decrease,
	1884	17 2-10	64 per cent.
Pounds per operative per day	1830	9.04	Increase,
	1884	31.22	214 per et.
The hours of labor in most of the factories in 1830 were 14 per day.			
Wages per operative per y'r	1830	$164	Increase,
	1884	$290	77 per cent.
The wages per hour in 1884 are more than double those of 1830.			
Wages per yard	1830	1.90 cts.	Decrease,
	1884	1.07 cts	44 per cent.
Profit per yard at 10 per cent. on capital	1830	2.40 cts.	Decrease,
	1884	.41 cts.	83 per cent

In the mountain section of the southern United States the people are still clad in homespun fabrics. 'Five women—two carders, two spinsters, and one weaver—can produce eight yards per day.

Product of 5 persons 1 year in North Carolina	2,400 yds.
Product of 5 persons in New England . . .	140,000 yds.
Wages in New Englaad at 1 08-100 cts. per yard	$287.00
Wages as they would be in N. Carolina at 1 08-100 cts. per yard	$5.19
Cost per yard in New England at $287 per year each operative	1.08c.
Cost in N'th Carolina at $287 yer year each operative . .	58.49c.

The rule of diminishing rates of profit and increasing rate of wages, of necessity ensuing from the progress of invention, is fully sustained by these tables. As the capital is increased both in its quantity and in its effectiveness, the absolute share of product falling to capital is increased, but the relative share is diminished. On the other hand, the share of the laborer is increased, both absolutely and relatively. Labor takes of necessity a constantly increasing proportion of an increasing product. In this example, the wages of the operatives have increased, since 1840, 64 per cent. per day and 96 per cent. per hour; since 1880, 77 per cent. per day and + 100 per cent. per hour. High wages in money have ensued as the necessary result of the low cost of labor.

It will be observed that in 1840, the price of standard sheetings being 9 cents a yard, it required 1.18 cents to be set aside for profits, or 13 per cent. of the price, in order to pay 10 per cent. upon the capital. Next it required 1.83 cents to be set aside, being 20 per cent. of the whole price, to pay wages at the average rate of only $175 a year to each operative. In 1884, the price being 7 cents a yard, it required less than 6 per cent of the gross sales, 0 40 cent a yard, to be set aside in order to pay 10 per cent. upon the capital; while 1.07 cents being set aside for the share of labor, or a fraction over 15

per cent. of the gross sales, yielded to the operative $290 in gold. The goods cannot now be sold at 7 cents, and there is little or no profit for the time being. But while 10 per cent. was a moderate rate of profit in 1840 it is an excessive rate in 1884. The business would extend with great rapidity if there were a positive assurance of 6 per cent. upon the capital, or a quarter of a cent a yard and less than 4½ per cent. of the gross amount of sales.

But it may be said, having assigned 0.40 cent to profits, and 1.07 cents to labor out of 7 cents a yard gross value, there remain 5.53 cents a yard to be accounted for. This of course represents the money cost of cotton, fuel, starch, oil, supplies, taxes, cost of administration, transportation of the goods to market, and the cost of selling them at wholesale.

Does this all go to labor, or is there also a profit to be set aside on these elements?

Our space would not suffice to treat each of these subjects, but it may be said: First, the cotton is substantially all labor; there is no large margin of profit at the present time in raising cotton, which is mostly produced by small farmers. Second, the other items, constituting the materials, form a very small part of the total cost, and are subjected to profits in small measure only in respect to fuel and oil.

The cost of transportation yields to the railroads less than an average of 5 per cent. on the capital invested, and cotton fabrics pay but a small fraction of their value even for very long distances. The cost of administration constitutes a very small part of the cost of the goods, and in a general treatise on wages belongs in a class by itself rather than to be considered as profits. The charge for selling staple plain cotton goods at wholesale does not exceed 1 per cent. to 1¼ per cent., and a large part of this is distributed among the clerks and salesmen who do the work.

If the subject is analyzed, first, as a whole, and, second, in each department, it will appear that at the present time the proportion of profit which can be set aside from the sale of coarse cotton goods, sufficient to cover profits in all the various departments of the work, is less than 10 per cent. of the wholesale market value of the product, and 90 per cent. is the absolute share of the laborers who do the work both in respect to materials used and to the finished product.

It is also necessary to remember, in respect to the cotton factory, that the value or proportion of capital to a given product is greater than in almost any other branch of industry; the proportion of capital to product being $1 of capital to each $1 or $1.50 of product, according to the weight of the fabric and the quantity of cotton used. In the boot and shoe factory, on the other hand, the ratio of capital to product is about $1 to $3; therefore in the boot and shoe business a much less proportion of the gross sales needs to be set aside as profit on the business, to induce its being established.

On the whole, as far as the manufactures of New England are concerned, the average of capital to the gross value of the products is one dollar capital to two dollars product; therefore three per cent. of the gross sales set aside as profit will yield six per cent. per annum upon the capital invested in the buildings and machinery which are applied to the conversion of raw or half manufactured material into finished forms ready for final consumption.

The foregoing charts have been prepared on the basis of tables giving the actual facts in respect to the machinery, the product, and the wages of two successful cotton-mills, manufacturing what are known as standard sheetings, in New England. Technically these goods are known as 36-inch sheetings, No. 14's. In point of fact, the number of the yarn is a little coarser. The data have been combined so as to cover the entire period from 1830 to the present date, a part of them having been furnished from one mill and a part from the other. I have in my possession the accounts of many other cotton factories, and the statistics of the wages, covering a great variety of fabrics, during the last fifty years; but I have carefully chosen the data of two factories which have been uniformly successful, in which the capital stock has never been reduced, and of which the product has, to a large extent, been sold for export. This selection has been made in order that the data might not be effected in any measure beyond that of other occupations than cotton-spinning, by the many changes in the tariff which have been made since 1830.

In the main treatise to which this is an appendix, I have attempted to sustain the proposition that the rate of wages cannot be taken as a standard for determining the cost of production, even in money; but, on the contrary that wages are a remainder over, or result of production, recovered from the sale of the goods, and subject to the prior claim for payment of the cost of materials and the profits of capital.

Wages will vary in rate in the same country, at different periods, in the same place; at the same period in different places; in different countries at the same time,—being determined by the distance of the factory from the source of the materials, by the intelligence and skill of the people who do the work, by the incidence of taxation, (the laws of different States varying on this point) and by many other elements which enter into the problem. On the other hand, although wages are deferred to profits, and are a remainder over, subject to deduction of profits from the sales, yet the competition of capital with capital not only always tends to a minimum of profit, but also to an increase of the product in ratio to the amount and effectiveness of the capital. Hence, while profits tend to a minimum, wages tend to a maximum. It therefore follows that, under these conditions, wages constitute an increasing proportion of an increasing product, provided markets can be

found to take the increase without a reduction in price corresponding to the reduction in the labor which constitutes the true cost. In point of fact, very few nations have learned to apply machinery to the arts of life,—a larger portion of the population of the world is clad in homespun than in machine-made or factory-made fabrics. I have lately read a notice of a recent report, made in Manchester, to the effect that nearly 1,000,000,000 persons, out of a computed total of 1,400,000,000, may be considered as non-machine using nations, clad in hand-made fabrics, so far as they are clothed at all. In the United States, machinery is applied, on the whole, more effectively than anywhere else. Hence, although prices have diminished, they have not diminished as fast as the labor cost of production has been reduced. Consequently, wages have not only risen in rate, but also in purchasing power. All of this is proved by the figures of the charts which have been given above.

Between the two extreme dates which I have covered in the chart, 1830 and 1884, the cost in money for manufacturing a coarse cotton fabric has been reduced more than one-half. In the same period, the rate of profit on each dollar invested, which sufficed to induce the construction of the factory, has also been reduced one-half. In the same period, each unit of the machinery itself has become so much more effective, that one operative will perform three and a-half times the work in eleven hours that one operative could perform, from 1830 to 1840, in thirteen hours. Thus it has happened that, while capital may now be satisfied with one quarter part as much money derived from the sale of the product as it formerly secured, wages have doubled per day, and more than doubled per hour, in the period named. From 1830 to 1840 inclusive, it was necessary to take fourteen per cent. from the gross sales of goods in order to pay ten per cent. on the capital of the factory From 1880 to 1884 inclusive, six per cent. of the gross sales would suffice to pay ten per cent. upon the capital, while six per cent. profit would now be nearly a normal rate.

In these charts I have treated the art of spinning and weaving cotton by machinery, upon what are called the self-acting mules, spinning-frames, and power-looms. We may contrast the conditions of the same art, at the present time, in different parts of this country. In the heart of this country, upon the hillsides and in the valleys of the great Allegheny region, in Virginia, in Ken-

tucky, in Tennessee, and in the Carolinas, there is a population of two millions or more of people, who are even to this day chiefly clad in homespun fabrics, of which the yarn is spun upon the hand spinning-wheel, and woven upon the hand-loom. These people have been kept in isolation by the surrounding pall of slavery, until a very recent period. Their country is now being opened by railroads, and the art of making homespun fabrics will soon be a lost art among them. The capacity of five of these persons—to wit, two carders, two spinsters, and one weaver, in a day of eleven hours, is eight yards of coarse fabric, heavier, but of more open texture, and therefore more quickly woven by machinery, than the standard sheeting. Five operatives in a modern factory would spin and weave one hundred fold as much, or eight hundred yards a day. But we will limit the comparison to the actual product of standard sheetings, and we will assume that the home spinners could make eight yards of standard sheeting in a day. This would give them 2,400 yards as the product of a year, against 140,000 yards in the northern factory. The cost of spinning and weaving the standard sheeting in the northern factory in 1883 was 1.08 cents per yard. If the southern operatives were obliged to sell their product in the open market at the same rate of wages—that is, at the wages which could be derived from 1.08 per yard, the total earnings of the five in one year would be $25.92, or a trifle over $5.00 each. If they were content with the profit on each yard which yields to the northern capitalist ten per cent. a year, it would be .43 of a cent a yard, or upon 2,400 yards $10.32. The total wages and profits of the five southern operatives, working by hand for one year, at the standard of cost and profit of the northern cotton-mill would therefore amount to $36.24. On the other hand, in order that the earnings and profits of the southern operatives should be equal to those of the northern operatives and owners of the factories, it would be necessary that the homespun fabric should sell in the open market at about ninety cents a yard. It therefore follows that the high wages of the northern operatives are the result of the low cost of production, and that if the southern people now engaged in the art of homespun work can find other work to do, in dealing with the abundance of timber, in saving the wild fruits, in agriculture, or in the many other branches of work which their climate and soil open to them, but which are not open to the inhabitants of

the Northern States, they will save both time and labor by an exchange of product, and by becoming inter-dependent, rather than by remaining isolated and independent. And this is what is now occurring. As soon as the incubus of slavery was removed and an exchange of products between the two sections of the country fairly began, each found that it could serve the other, and that slave-grown cotton was no longer king.

IV. INDUSTRIAL EDUCATION.

BY FRANCIS A. WALKER, President of the Massachusetts Institute of Technology.

(Read September 9, 1884.)

In the active discussion now in progress concerning Industrial Education, that term is used in such widely different senses as to require that a paper treating of this theme should begin with a definition. With a view to this, I offer the following classification of the schools which undertake what is by one person or another understood to be industrial education.

First, we have the schools of applied science and technology, whose purpose it is to train the engineer, the architect, the geologist, the chemist, the metallurgist, for the work of their several professions. These schools do not aim to educate the men who are to do the manual work of modern industry. In the main, they do not even aim to educate the men who are to oversee and direct the work of others — the men, that is, who are to act as superintendents of labor. It is the function of the schools of this class to train those who shall investigate the material resources of the country, and shall project operations for the development of such resources, to be carried on by bodies of labor and of capital under the direction, in the main, of persons who have received their education and training in schools of a different order, or through practical experience in the field, the shop and the mine.

The distinction here rudely outlined between the person who investigates the material resources of the country, in any direction, and organizes industrial enterprises for the exploitation of those resources, and the person who superintends and directs the labor employed in such enterprises, is not, indeed, strictly maintained; but it exists in a general way, although a tendency to employ, in increasing degree, civil, mechanical and mining engineers, chemists and metallurgists in administrative and executive capacities, has been observed during the past few years.

The expediency of establishing schools of the class herein indicated, is no longer a matter of debate. The general government, and many, if not all, of the State governments have recognized the importance of thus providing for the scientific development of our industries; and the large and increasing measure of reputation

and financial success enjoyed by the Troy School of Civil Engineering, the Hoboken School of Mechanical Engineering, the Sheffield School of Civil and Mechanical Engineering, the Columbia School of Mining Engineering, the Boston Institute of Technology, with its departments of civil, mechanical and mining engineering, the Worcester Free Institute of Industrial Science, the Chandler Scientific School and the Thayer Engineering School, both of Dartmouth College, with a score of other institutions, all deserving to be named were this the immediate subject of our paper, show that the value of such institutions has passed beyond challenge or cavil.

A second, and widely different class of institutions is found in the so-called trade schools. The purpose of schools of this class is to train the actual workers in industry, and to train them, moreover, for what it is presumed will be their own individual occupations in life. In the main, these schools do not aim to train the overseers and superintendents of labor, but the individual operatives. And, in general, the work of these schools assumes that the particular avocation for life of the children who enter them is already reasonably well determined.

The efforts at Industrial Education in the States of Europe have commonly taken this form. The trade schools of Switzerland, of Holland and of France, are schools in which young people are taught defined trades, generally such as are pursued in the immediate region where the schools are established. Thus, certain trade schools in Switzerland have reference to the great watchmaking industry of that country, and have it for their object to train pupils who, it is assumed, will, by almost an industrial necessity, become watchmakers.

The third class of schools, and that to which the present paper will be confined, comprises those into which manual and mechanical instruction and training are introduced in greater or less degree; not, on the one hand, to make engineers, not, on the other hand, for the purpose of training the pupil to become an operative in any particular branch of industry which it is presumed he will enter; but as a part of the general education of the scholar, with reference to the fuller and more symmetrical development of all his faculties and powers, and to promoting his success in whatever sphere of labor it shall subsequently be determined he is to enter.

It is schools of this class, the establishment of which is at this

time being especially urged under the general title of Industrial Education.

In some respects, the term "industrial education" is itself an unfortunate one. The term "mechanical education" would better express the objects of those who are now advocating an important modification of our system of instruction. But the term first referred to has been so widely adopted in the discussion of this subject, that it is likely to be used long after the mechanical education of our children and youth has passed the period of debate and become incorporated in our public school system.

The distinction between the trade school and the school of the kind last indicated, will be seen, if properly contemplated, to be very marked. Not only does the trade school assume that there is a high degree of probability that the pupil will enter a definite field of labor, for which it undertakes to prepare him; but the establishment of such schools undoubtedly contributes, in an important degree, to enhance the probability of that result.

The confusion of trade education with a general mechanical education has undoubtedly engendered not a little of the prejudice which the scheme of industrial instruction has encountered in certain quarters within the United States. It has been alleged that the establishment of the proposed system would be opposed to the sentiments of our people and to the genius of our institutions, inasmuch as it would assume that the children who were to receive training were born to a certain condition of life, and were destined to perform a certain industrial rôle. The scheme of industrial education has, therefore, been objected to, as curtailing the glorious birthright of every American boy to become banker, merchant, judge or president, as his own abilities and virtues may qualify him. It will appear, I think, in the further course of this paper, that the objection is founded upon a misapprehension; and that the adoption of the system of education under view would not only not confine the choice of the pupil as to his subsequent mode of life, but would tend to give him an even greater freedom of movement and action.

That the establishment of trade schools, in the strict sense of that term, has proved advantageous in many of the crowded communities of Europe, I entertain no doubt. When, by reason of the dense occupation of the soil and the diversification and localization of industries, the choice of young persons is, in fact, very

closely limited, it is probably the part of wisdom to recognize that fact, to accept the situation, and to prepare the young as well as possible for the work which, by almost a moral necessity, they will be called to perform. That even in some communities of the United States, the point has already been reached where the establishment of trade schools by private benevolence, or even by municipal authority, might be practically advantageous, I am not disposed to deny.

In any large city whose population is chiefly, and perhaps almost wholly, occupied in some single and highly special branch of industry, the instruction of the young in the arts specially concerned in the prosecution of that industry, may, not unreasonably, be deemed the dictate of practical wisdom.

Yet the position of those who have opposed industrial education on the ground that the United States have not reached the condition which requires or justifies the education, at the public expense and under State authority, of young children with reference to specific trades, is in the main sound and just. The proper answer to this objection is, that the system of industrial education proposed would rather enlarge than confine the subsequent choice of occupations by the children of our public schools.

The purpose sought by the advocates of so-called industrial education, is the training of the eye and the hand of the pupil, and his acquisition of those elementary principles of physics and mechanics which underlie all dealing with the forces of nature and with material objects.

I have spoken of the "establishment" of schools for industrial or mechanical education. Yet, in truth, it is not so much the creation and endowment of separate schools of this character, which is in view, as the gradual conversion of all the existing schools of the land to this use, through the grafting of certain studies and exercises upon the traditional curriculum. Such conversion would involve only a slight disturbance of the structure of the existing schools; but it would require the surrender of a not inconsiderable portion of time to the new studies and exercises.

In order not to protract this paper unduly, or to provoke needless controversy, I shall, on the present occasion, confine my remarks to the relations of the proposed changes in public instruction to the boys of our public schools, leaving open the question, whether the girls shall join in the new departure, or not.

As to the precise nature and extent of the studies and exercises which should, to this end, be incorporated in the public school curriculum, and as to the order of these exercises, much difference of opinion will doubtless be developed among those who advocate an extensive modification of the present scheme of education. The true final system, will, of course, have to be worked out through long discussion and experimentation. The following is presented as a fairly conservative programme:

Beginning with the pupil at the stage when Kindergarten methods and appliances are exhausted of their efficiency, the scholar should be instructed in the elementary principles of physics and mechanics through the use of simple models and apparatus, and should become familiarized through frequent statement and illustration, with the fundamental conceptions of geometry. There is a deep-seated popular error as to the age at which such things as the above can advantageously be acquired. It is too often assumed that because the young child is not competent to study geometry systematically, he need be taught nothing geometrical; that because it would be foolish to present to him physics and mechanics as sciences, it is useless to present to him any physical or mechanical principles.

An error of like origin, which has wrought incalculable mischief, denies to the scholar the use of the symbols and methods of algebra in connection with his early essays in numbers, because, forsooth, he is not, as yet, capable of mastering quadratics! If our children were taught to "do their sums," algebraically at eight, nine or ten, the later parts of the algebra would have far less terror for them, at fifteen, sixteen and seventeen. And yet, from the notion that the teacher must not take up any subject which the pupil is not prepared to go through with to the end and master scientifically, we drive our boys and girls to the most painful and absurdly round-about methods of solving problems. The moment the child begins to "do sums" upon his slate, he needs his x and y, and for lack of them he is continually driven back to "What d'ye call 'em," or "thingumbob," his unknown quantity, the object of his enquiry for which he is refused a symbol,—the length of the pole, John's share of the cake, the number of gallons in the cistern, or what not. The whole infant generation, wrestling with arithmetic, seek for a sign and groan and travail together in pain for the want of it; but no sign is given them save the

sign of the prophet Jonah, *the withered gourd*, fruitless endeavor, wasted strength.

To teach the so-called arithmetic of the common school without the use of the algebraic signs and notation, is in the last degree barbarous; yet it is done, almost without exception, in the case of ten millions of school children, all from the notion that they are not yet prepared to enter upon the study of algebra! Study of algebra! Algebra is a *tool*, and nothing but a tool, and, so far as equations of the first degree are concerned, it is a tool which the child needs the moment he is set to enquire in how many days Jones and Brown can do a piece of work together, if Jones could do it in ten days alone or Brown in fifteen. For an equally bad reason, many things have been withheld from school children, though these were things of which every child should be informed at the earliest possible moment, because they belong to geometry, for the systematic study of which the scholar has been held not to be prepared.

It is true that of late years, teachers, drawing doubtless their inspiration from the kindergarten, have presumed to give the geometry of the square and cube before requiring the arithmetic of square root and cube root; but this concession to common sense stands almost solitary and alone on the pages of the modern textbook. Take for example, the conception of a plane, the most difficult and the most important of all conceptions, for the purposes of the geometer, the astronomer, the mechanician. This conception should, for subsequent success whether in geometry, in astronomy or in mechanics, be formed in the mind of the child at the earliest possible moment, just as the notion of right should be formed in his mind years and years before he is called to the systematic study of ethics. No subsequent effort can make up for the neglect of such fundamental conceptions in the very beginnings of education. The freedom and force with which these conceptions will be referred to and made use of in after life, must in a large degree depend upon the age at which they are first acquired.

They should be early implanted in the mind that they may grow with its growth and strengthen with its strength. What sort of students of literature would you have if you put off the teaching of the alphabet of letters till fourteen or fifteen or sixteen, as you in fact put off the teaching of the alphabet of science? You give the child English letters at five or six, and let him grow up,

through long practice in easy lessons, with fairy stories and picture books, and tales of travel and adventure, to the capability of reading and comprehending the master-pieces of literature; yet it is only on the day when the young man begins the scientific study of optics, for example, that you give him a definition of light, and show him simple experiments in reflection and refraction. The student should at this age be unable to remember when he did not know these things; and no amount of hard work in after life can ever wholly make up for the lack of early familiarity with the subjects of his study, the value of which every instructor acknowledges in other branches of education, whether relating to literature, to morals or to practical affairs.

Time will not serve for an extended illustration of this subject. A child of ten or twelve years is capable of understanding the principle of the lever just as perfectly as did Archimedes of old Syracuse. Once implant that conception in his mind and it becomes germinal, and, without watering or tending, will bear fruit perennially through all his life.

A child of the same age can comprehend the principle of the arch, when illustrated by a few blocks from a carpenter's shop, as fully as does the architect who hangs a stone dome one hundred feet in air; and when he has once comprehended the construction and office of the arch, his eye will never thereafter fall unintelligently upon an example of it. A child of the same age is capable of comprehending the law of perspective. Why in the name of common sense should one go on for years, walking through our streets or over the fields, his eye falling at every glance upon some object which is subject to this law, and yet never be instructed regarding it?

Do you ask how much of the elements of physics and mechanics should be given to the child of tender years? I answer, just as much as he will take, be the same more or less. And it is always safe to offer him a little more than he will take. It can't do him any harm. Cramming him with hard and lumpy facts, from so-called geographies or histories, may produce mental indigestion or colic; but an idea, an apprehended principle, never yet hurt a human being, and never will to the latest syllable of recorded time. For myself, I would not stop short of teaching a child the doctrine of the persistence of force through all its transmutations. Doubtless he would at first fail to apprehend it fully; yet he would gather

something from its familiar, picturesque enunciation; and, as the proposition became familiar to his ear, and as illustrations of the equivalency of motion, heat, light and sound were multiplied and repeated to him, I should hope that he would grow into an apprehension and appreciation of this grand all-embracing law.

If it be asked of what advantage would it be to the youthful mind that it should be taught these and the like things, I answer, *First*, that if to observe phenomena quickly and clearly, if to reflect closely and justly, if to acquire an habitual, and in time, instinctive disposition to trace effects to their causes, if these things be among the prime objects of education, comparison may be challenged between the matter of study that has been described and the work that now takes up two-thirds of the time of the scholar of the age we have been considering. *Secondly*, that if the direct usefulness of the information acquired be adopted as the test of different systems of instruction, the elements of geometry, physics and mechanics, have preference, in an enormous degree, over the traditional studies of the primary and grammar schools. But, *Thirdly*, that the main argument for the early acquisition of these elements is to be found in their usefulness as a preparation for the study of geometry, physics and applied mechanics in later years.

While altering in a degree the traditional curriculum of the public schools by the introduction of the elements of geometry, physics and mechanics, I would recommend the extension of the drawing practice of the schools even beyond the point to which it is now carried in our most enlightened cities. And it is a consideration of prime importance in this connection, that, great as is the interest awakened by drawing practice, under the better teachers, even as students are now prepared for it in our public schools, those exercises would acquire a vast increase of attractiveness from the studies already described in the elements of geometry, physics and mechanics. The pupil would in a higher degree appreciate much that he was called to do in his drawing exercises, and would find a hightened pleasure in the practice of this art as it became a means of expressing principles with which he had been made familiar. And as the drawing exercise received a great enhancement of attractiveness through the pupil's comprehension of the principles underlying the figures and designs to be constructed, so, at the other end, would it receive a fresh addition of interest by being correlated with the shop-work in wood, in iron and in clay,

which, according to the friends of industrial education, should form a part of the exercises of the public schools.

We here reach the last stage of our subject. Industrial education involves, first, the teaching of the elements of geometry, physics and mechanics, secondly, drawing, and thirdly, shop work of one kind or another. During the past few years practice in the mechanic arts, especially in wood working, but also in forge, foundry and lathe work, has been introduced as an integral part of a system of education, in several sections of the country. No one is known to have been in any way connected with this new kind of teaching who is not an enthusiastic believer in its beneficent effects at once upon the scholar and upon the general system of public instruction; while of late, converts have been rapidly made from among those who formerly doubted or denied the expediency of this innovation in education. The year now closing has seen the school-room space, the apparatus and machinery, and the teaching force devoted to this work more than doubled, perhaps we might say trebled. The next year will undoubtedly witness an even greater increase. The thing is coming, and coming fast, faster probably than the means can well be provided; and doubtless mistakes, not a few, will be made in the haste to introduce this kind of teaching.

In general it may be said that the course of propagation is likely to be from the high school downward to the grammar and then to the elementary schools, and from the city outward through the small towns to the rural districts. The chief difficulty to be encountered will not be the difficulty of finding means or the opposition of school committees or boards of Aldermen, but the lack of competent teachers. In this view the State of Massachusetts has wisely initiated practice in the mechanic arts in two of its Normal Schools.

At the Massachusetts Institute of Technology, which eight years ago, under the enlightened administration of Dr. Runkle, established a school of the mechanic arts, the applications for instructors in this department are already far in excess of those which can be met. Dr. Runkle has, within a few weeks, issued a pamphlet* which embraces in condensed form many well-considered sugges-

* Report on Industrial Education, by John D. Runkle, Ph. D., LL.D., Walker Professor of Mathematics, Massachusetts Institute of Technology. Boston: W. F. Brown & Co.

tions regarding the organization of this kind of schools, with detailed statements as to the equipment of shops for instruction in the mechanic arts. The reports of the St. Louis Manual Training School, under the supervision of its capable and enthusiastic director, Prof. Woodward, contain information of great value regarding the new form of education.

The advantages to be anticipated from the introduction of training in the mechanic arts into the grammar and high schools of the land are many and important.

First, it will increase the freedom of industrial movement, allowing our youth as they leave school to find for themselves places in the industrial order with more of ease and assurance than at present. This, as has been said, is in contradiction of a vague popular opinion, that the proposed system is in the direction of class education; but the principle is undeniable; only the degree of its importance can possibly be disputed.

A lad of fifteen leaving the Grammar School, or a lad of eighteen leaving the High School, is not required to become a mechanic because he has had long practice in the use of tools, because he has acquired a familiarity with the materials of construction, because he has become neat, dextrous and expert in manipulation, because he can make a working-drawing of a piece of machinery or of furniture; because he has had his sense of form, of magnitude and of proportion trained to the nicest discrimination, and because he can work with his eye and his hand, as well as with his brain, and with all of these in the closest cöoperation. But if he *is* to become a mechanic, he will have a much wider choice between individual trades, by reason of these things; and again, when he has chosen his trade, he can acquire the special knowledge and the special skill requisite thereto in one half the time which a mere apprentice would take, and he will acquire them, moreover, to much better effect; while, still again, he will be a workman, who, after a few years of practice, will be fit, by reason of ability to make working-drawings, knowledge of mathematics and mechanical principles and superior mental training, to be promoted to the post of foreman or superintendent of construction; or he may set up for himself as contractor or master, with a prospect of success far exceeding that of one of equal natural abilities who has enjoyed only the special training of a single trade.

Secondly, so far as the graduates of the reformed Grammar and

High schools are *not* to become mechanics, they will certainly be no worse off, in any way, by reason of this training, but in many ways they will be the better qualified, even in commercial pursuits or in clerical capacities in connection with manufacturing or railroad enterprises, to make themselves useful to their employers from their manual dexterity, the capability of using tools and the special knowledge acquired in school. But far more than this will be the advantage derived from the training of the perceptive powers, the formation of the habit of observation and the development of the executive faculty, the power, that is, of doing things as distinguished from thinking or talking or writing about them. To these, the traditional curriculum of the schools fails to minister in the smallest degree; and the longer mnemonics, analytics and dialectics are exclusively pursued, the farther is the student carried from the temper and the qualities of mind which achieve success, except in a few closely restricted and already overcrowded professions. It is the sense of this which leads so many parents to withdraw their children at an early age, reducing the number who go forward from the Grammar to the High school, to a petty fraction of the whole number.

With the school exercises modified and diversified as has been proposed, I sincerely believe that the average period of attendance would be at once appreciably increased, and that parents would withdraw their children only at the demand of pecuniary necessities which could not be denied, and not, as so largely now, because they feel that the school is doing nothing practically useful for their children, and indeed, that the longer they stay, after fifteen, the less will they be fitted for the work of life.

Thirdly, the introduction of shop work into the public system of education cannot fail to have a most beneficial influence in promoting a respect for labor and in overcoming the false and pernicious passion of our young people for crowding themselves into overdone and underpaid departments, where they may escape manual exertion at almost any sacrifice. This tendency of the times has been loudly complained of, but how have those a right to complain who support the old order of things under which all the praise and all the prizes of the school are bestowed upon glibness of speech, retentiveness of memory, ease or force of declamation, and skill in dialectics? If the authority of the State and the influence of the teacher combine to set up such a standard, what wonder

that the pupil accepts the same view of what is admirable and desirable, holds other qualities in little esteem, and deems himself too fine for a common trade and a humble calling? Let the State honor labor in the school; let some of the praise and some of the prizes go to neatness of manipulation, skill in the use of tools, taste in design, patience and ingenuity in execution; let the pupil see his master, now and then, with his coat off and a paper cap on his head, teaching the use of the plane and the lathe; give the boy to know the delight of seeing things grow and take shape under his hands, and it requires no prophet to assure us that our young people will come to look on life very differently and much more wisely.

Fourthly, the consideration which weighs more than any other, in my mind, is that the introduction of shop work into the public schools, closely affiliated with exercises in drawing and design, will give a place, where now there is no place at all, or only a most uncomfortable one, to those boys who are strong in perception, apt in manipulation, and correct in the interpretation of phenomena, but who are not good at memorizing or rehearsing the opinions and statements of others, or who, by diffidence, slowness of speech or awkwardness of mental conformation, are unfitted for intellectual gymnastics. It is mighty little which the ordinary Grammar or High school does at present for scholars of these classes. Not only do they, at the best, get little personal pleasure from their work, and receive little of the commendation of the teacher, but, in the great majority of cases, they are written down blockheads at the start, and have their whole school life turned to shame and to bitterness. And yet it not infrequently happens that the boy who is so regarded because he cannot master an artificial system of grammatical analysis; isn't worth a cent for giving a list of the kings of England; doesn't know, and doesn't care what are the principal productions of Borneo, has a better pair of eyes, a better pair of hands, and, even by the standards of the merchant, the manufacturer and the railroad president, a better head, than his teacher.

I desire not to exaggerate; I wish to speak with the utmost seriousness and in strict truthfulness. Of how much advantage is it to a scholar in the average Grammar school of Boston or New York, or Chicago, in doing his work or in earning the praise of his teacher, that he has a quick perception of form and color; that he

sees everything presented to his view at once broadly and particularly, his eye taking in all the features of an object in their due order and proportion, his mind justly interpreting the significance of each and every feature by turns and in the whole; that he has a subtle touch, great patience under vexation, an ingenious and inventive mind? There are as many boys in our schools of whom the above can be said, as there are of boys who are quick to memorize and rehearse the opinions and statements of others, or are strong and lively in the gymnasties of arithmetic and of grammar. There are not only as many of the former class of boys as of the latter, but they are quite as deserving of sympathy and respect, besides being rather better qualified to become of use in the industrial and social order. And yet for that class of boys the school offers almost nothing upon which they can employ these priceless powers. They may, by laboring very painfully over the prescribed but uncongenial exercises, escape the stigma of being blockheads, but they can never do very well; they will always be at a disadvantage in comparison with boys of the other class; they will know nothing of the joys of commendation; and it is most fortunate if they do not become discouraged, indifferent and in time careless or even reckless of their standing. Such boys are practically ploughed under, in our schools, as not worth harvesting. The teacher may be ever so pitiful and patient; that matters something so far as the child's happiness is concerned, but, so long as he is kept wholly at exercises for which he is not by nature qualified, it makes little difference as to his chances of success as a scholar.

The introduction of practice in the mechanic arts would strike a responsive chord in the hearts of all boys of the class I have so inadequately described; it would at once give them something to do in which they could excel; it would quicken their interest in the school; it would save their self-respect; to many of them it would open a door into practical life.

For a partial illustration of these effects, let me refer to the introduction of drawing into the public schools, already so widely accomplished. If the acquirement of this art were absolutely of no value; if the training of eye and hand involved were put out of account, I fully believe that, in spite of the very shabby way in which this subject has generally been taught heretofore, drawing in the schools has repaid its cost ten-fold, simply in the opportu-

nity it has given to a host of scholars to do something well, to their own satisfaction, to the commendation of their teachers, and to the admiration of their mates.

Here is a little fellow who has no aptitude for the traditional studies of the school room. He has either given way after a short struggle to a feeling that he is a dunce anyhow, and that it is of no use to try; or, after a longer and harder struggle, he has succumbed to a still more bitter and lasting discouragement. He has become accustomed to be blamed at school and at home for his low standing; he has ceased to listen for words of approbation; he has learned to expect a look of sadness or of anger on his father's face as his monthly card is presented.

But now a new exercise is introduced into the school, and after the inevitable blottings and smearings of the first trials, it comes one day to the comprehension of the teacher that this boy has executed his work better than any other scholar; has done best of all something which by authority has been pronounced worth doing. For the first time that lad, who has all the while been struggling with a hopeless incapacity for identifying "appositive modifiers" and "cognate objectives," hears the sweet and pleasant voice of praise, sees the admiring glances of his comrades fall on him, yes, on him! and feels the pulse of ambition throb at his temples.

With what anticipations of pleasure will this lad hereafter await the signal to take up drawing; with what pains will he execute his work, with what pride hand in his faultless sheets! How changed to him henceforth is the school room; how differently, even, sounds the school bell in the morning! If the introduction of drawing has done so much for many a boy, how much more fully and completely will the needs of this class of youths be met by the introduction of shop-work in its various branches of carpentry, forge, foundry and lathe work, in intimate and vital relations with drawing and with the elements of geometry, physics and mechanics!

I might dwell on other considerations; upon the impulse to be communicated to invention and discovery, upon the disclosure, here and there, of rare mechanical genius, which, under the old system of education, might have been hopelessly lost in a dreary wilderness of words; upon the value of the arts acquired in saving dis-repair within the home, enabling the thousand needed strokes of the hammer to be well and promptly given, securing the inser-

tion of the nail in time that saves nine; upon the virtue which a general mechanical education of the people would have in preserving and exalting the priceless sense of social decency which keeps the fence along the village street in order, the gate hung, the glass set, the shutter in place; but perhaps I have already said enough to introduce the discussion of the question of Industrial Education.

PAPERS OF THE JURISPRUDENCE DEPARTMENT.

I. CONFLICT OF STATE LAWS,—THE EVIL AND THE REMEDY.

BY EUGENE SMITH, ESQ., OF NEW YORK.

(Read September 10, 1884.)

The conflict of laws has long been a fruitful theme for discussion and for authorship. But I propose to speak of that special phase of the subject which relates peculiarly to our own time and country; to point to the fact that our national map is a dissected one, cut up into territorial fragments, called States, of arbitrary size and shape, each fragment controlled by a separate and distinct body of State law; to glance briefly at the confusion wrought by these jostling and often conflicting systems of State law which produce ever-increasing evil and are retarding the growth of national unity and prosperity; and to inquire, finally (and here is my main object), what remedy is best fitted to stop this conflict and to secure to the whole country an harmonious and self-consistent jurisprudence.

The systems of statute law within the various States of the Union have each grown up and been developed from within the State itself; and the process of their evolution has gone on in each State without much reference to the course of legislation in sister States. The natural result has been a dissimilarity and divergence between the systems of State law, until now there is hardly any department of jurisprudence in which cases are not constantly arising to illustrate the conflict between the laws of the different States. In the laws relating to contracts of every kind, including even negotiable paper, in the laws pretaining to corporations, to wills, to marriage and divorce, to the administration of estates, to taxation, to civil and criminal procedure, the systems of the several States present a variance which is as constant as it is unwise and wholly unnecessary. How substantial and pervading this variance is in its character, is shown by the significant fact that no discreet lawyer would assume to pronounce an opinion upon a case, however simple, arising under the laws of a neigh-

boring State, until he had made a special examination both of the statutes and of the judicial decisions in that State bearing on the question involved.

It would be an interesting subject of inquiry and one not difficult of treatment to trace out in detail the dissimilarity of State laws in the various departments of legislation, and to show how broad are the legal lines of demarcation between the States. But such an inquiry would lead beyond the limits of the present paper which is designed to treat rather of the evil resulting from the conflict of State laws and of the remedy for that evil, than to illustrate the fact itself of such conflict.

The injurious consequences of the diversity in the systems of State law are more far-reaching than is apparent at first sight. Perhaps the doctrine of State sovereignty involves more than is generally realized. But it is a fact that the *Federal* government and *Federal* law touch at very few points the every-day life of the people. The matters of internal domestic concern committed to the Federal jurisdiction are very few in number and extremely limited in scope. Cases arising under acts of Congress make a very minute fraction of the litigation with which the courts are burdened. But while the jurisdiction of the Federal government is circumscribed, that of the State government is practically boundless.

The State has supreme and sovereign control over all those interests that affect vitally the domestic, social, and business life of the people. The protection of life and property, the education of children, the family relations, the institutions of religion and of charity, the repression and punishment of crimes, the whole broad subject of civil rights and remedies, all come within the domain of State law. And so it is that the public prosperity, the character of the national life, so far as they are influenced or moulded by the laws, depend, not on national, but on State law.

The incomparably superior importance of State over national legislation is not popularly appreciated. While the affairs of Congress excite wide interest and undergo close scrutiny, while a degree of statesmanship is recognised as the fitting qualification for a member of Congress, the legislature of the State is supposed to represent a lower plane of politics. No qualification beyond that of party service, is demanded from the State legislator, to whom are confided the really vital interests of society. The necessary result in each separate State is a crude and ill-digested mass

of legislation, adopted without knowledge of the laws of other States and without the slightest aim at any unity of system between the States.

But diverse laws on the same subjects in different States are hostile to the real interests of the people in many ways. They are opposed to the *national* spirit and temper of the times. The people of the United States are yearly growing to be a thoroughly homogeneous nation. The only division in the past has been limited by sectional lines, which did not coincide with State boundaries, and those lines are being surely obliterated. The boundaries between the States are purely legal and fictitious lines indicating no corresponding separation of social or material, or moral interests. All the tendencies of the time are serving to unify those interests. The newspaper press and the extension of railways are only among the prominent agencies that are constantly bringing the people into closer and closer contact with each other; and a truly *national* tone of feeling and character manifests itself in all the concerns of daily life.

This fusion of interest is more sensibly felt in the business enterprise of the country. There is no artisan so humble that his capacity to earn a living is not affected by causes operating outside the State in which he dwells. The markets of the country respond with electric sympathy to disturbances occurring in the remotest regions of the Union. The enormous and increasing growth of corporations is an important factor in the national life. These great bodies, railroad, insurance, telegraph, and other business corporations, having holders of their stocks and bonds in every State and transacting business in every State, illustrate the common and consolidated character of the material interests of the country.

Nothing can be more utterly regardless of State lines than every kind of trade and business in its natural, healthy development. Yet every business enterprise in extending its ramifications into another State encounters a new system of State law and of judicial procedure; it must adjust itself to altered conditions; a new method of taxation may drive it out of the State; contracts and modes of dealing which were valid in the State of origin are found to be in conflict with the laws of the new State; without effecting its reorganization, the enterprise cannot establish a foot-hold in the sister State. These requirements are not merely oppressive; they

hamper the free growth of trade. Business enterprise is expansive by nature; it demands above all things, certainty and uniformity in the civil law that governs it, and in so far as it must accommodate itself to a varying or conflicting jurisprudence, its natural development is retarded or arrested. There can be no doubt that the establishment of a single code of civil law over all the States in the Union would vastly promote the moneyed, and all the material interests of the country.

The *moral* welfare of the country would be not less advanced by such a code. It is in this direction that the evils of the existing diversity are even more apparent and crying. When it is true, as it is now true, that a child, legitimate in one State, may be disinherited and bear the brand of illegitimacy by the laws of another State; that a man may be either married or unmarried according as he stands on one side or the other of a State boundary; that a man may suffer imprisonment in the State Prison in the State of New York for the crime of bigamy in marrying a woman who by the law of New Jersey would be his lawful wife, — when these anomalies result, as they do result, from the conflict of State laws, it begins to be possible to realise the absurd and demoralizing condition of our jurisprudence.

All the interests affected by legislation suffer from the want of harmony between the systems of State law. The uniformity in the condition, character and needs of the whole people, the absolute identity of their material and moral interests, demand one code of civil law. No State has now any separate or peculiar institutions requiring a distinct body of jurisprudence, differing from the other States; every State ought to enjoy the benefit of the experience and legislative wisdom of its sister States, and that which is the best legislation for one State is the best for all alike.

There is another noticeable tendency of the times which renders the divergence of State laws more dangerous for the future than it has been in the past. I refer to the tendency to extend the domain of legislation to subjects which have hitherto been left to the operation of natural laws. The paternal theory of government is undoubtedly gaining ground; it may be said, perhaps, to accord with the temper of the age. Herbert Spencer has made this tendency, as manifested in the course of modern English law, the subject of his violent denunciation; he sees in it a drifting toward what he terms "the coming slavery," when individual freedom of

life and conduct shall be seriously curtailed by the operation of tutelary laws. The same thing is apparent in our own country. It is popular to look to the government for a cure for every ill, and for aid to every measure of progress. Thus, while the enlargement of the scope of legislation will increase the variance between State codes, the growing community of interests and of needs throughout the nation, will make that variance to be felt as more and more irksome and obstructive.

What I have said, thus far, is little calculated to elicit opposition or even debate. Every one admits the evil of conflict in State laws; but when we ask how this evil shall be met and remedied, then we shall encounter the widest diversity of opinion. This question of a remedy is the difficult one to which I now invite attention.

In the first place, the only remedy possible is a radical one. The evil cannot work out its own cure through existing agencies. If, indeed, all the State legislatures were composed of statesmen who were animated by an intelligent desire to harmonize the State codes, some of the more glaring discrepancies could be corrected. But our State legislators are not, and are not likely to be in the future, uniformly of that highly enlightened character. They come together for a brief session, they hastily enact a body of crude and incoherent statutes in the manner which was so forcibly presented before this body three years ago, in the opening address of your president, Prof. Wayland, on "Certain Defects in our Methods of Making Laws." These legislators have neither the capacity nor the opportunity to study the laws of other States relating to the subjects on which they act. Even were they disposed and competent to do so, they would find the research extremely laborious and difficult. No, it is utterly utopian to look for the harmonization of State laws through the simple action of the State legislatures, as now constituted; and, it is none the less utopian to hope to reconstruct and elevate the *personnel* of State legislatures according to the standard required for such a work.

There is only one plan of correcting the evil of diverse State laws that can be said to have gained any popular currency. That plan looks to the *Federal government* as the agency by which the States are to be brought into harmony. In the laws relating to marriage and divorce is presented the most glaring instance, perhaps, of divergence between the States; the conflict of the laws on

these subjects has elicited wide discussion, and the practical outcome of it all is a general demand that Congress shall take the subject in hand and enact a uniform code of marriage law, which shall be supreme throughout the Union. If any objection is suggested touching the constitutional power of Congress to legislate on the subject, the answer is made that such an objection is a purely technical one; that if necessary, as a matter of form, the Constitution can, and should be, amended, so as to confer upon Congress the required jurisdiction, and that the people, as supreme sovereign, can alter the Constitution to adapt it to new popular needs.

This appeal to Federal intervention to regulate marriage and divorce, is in accord with the general political sentiment of the country. There is a growing disposition to widen the scope of Congressional action, and to commit to the surveillance of the central government many interests that have heretofore been left to private enterprise and to State control. It is proposed to expend millions of the public money to promote the interests of education, and amounts increasing from year to year in wide schemes of internal improvement. The demand for postal telegraphy is all but unanimous; the operation of the railway system of the country by the government, and for the public account, is openly advocated; and, at least, the enactment by Congress of a code of railroad law, which shall bring all the railway corporations in the United States under one uniform system, regulating their rights and obligations, and shall subject them to the jurisdiction of Federal courts, seems to many the only feasible way of avoiding the complications that have resulted from imperfect and conflicting State laws.

I do not propose, now, to discuss the political wisdom of these suggested innovations nor to inquire how far all of them are infused with a latent element of socialism. I intend to direct attention simply to their bearing on our special system of government. It is curious that the people fail to apprehend the extreme *radicalism* of all these proposed Federal measures. They are really measures that involve the complete overturning of our whole plan and theory of government. It has been the boasted and the distinctive feature of our constitutional system that the powers of the central government were so limited that the separate States retained an absolute sovereignty in all matters of internal and domestic concern. In

everything affecting our status as a nation, and with relation to foreign powers, the Federal government is supreme; in the development of the civil life of the people, the State is equally supreme. The regulation of the family relations and the legislative and judicial control of all business enterprise have been, not only in fact, but necessarily, *State* functions; they *cannot* be transferred to the Federal government without subverting the whole theory and substance of the Union. The transference can, of course, be affected by so-called constitutional amendments; but such amendments cannot properly be called amendments—they are, rather, revolutionary changes, introducing a new and radically different form of government. The States, instead of remaining independent sovereignties as to all matters not specially committed to the general government as they were originally constituted, would be subordinated to the Federal power; and after the process of absorption had once begun, the ultimate result would be, the civil government of the whole people, not by States, but by the central power at the Capitol.

The advantage of such new system would be in a uniform system of law harmoniously and consistently administered throughout the length and breadth of the land; its disadvantage and its danger would be in the magnitude of its empire.

Here, then, are the problem and the dilemma that confront us. A nation, firmly consolidated in its interests, and demanding an harmonious and national code of civil law, but in fact divided and hampered by inefficient, conflicting systems of State law—possessing a central power at Washington, now limited, but capable of extension, until, by absorbing the present functions of the States, it shall secure to the entire nation one common and uniform jurisprudence. But, on the other hand, lies the patent and grave danger—a continent, soon to contain a population exceeding a hundred millions—can it possibly be governed by a central authority? Will it not inevitably fall, through its own weight and magnitude, into separate fragments.

I can conceive of but one possible way to avoid the obvious danger of centralization, on the one hand, and to secure, on the other, the needed unity. The only remedy lies in the concurrent action of the States themselves. The plan I have to propose contemplates the appointment of one, two or more commissioners by each State—men of wide experience, deeply versed in jurisprudence,

with a broad and liberal comprehension of the national needs; the commissioners so appointed to meet in conference, and to compile and codify a system of statutory law embracing all those topics of common and public concern with reference to which the interests of the people in every section of the land are identical; the code so formed to be submitted to the legislatures of the several States for adoption and enactment. In this way, and this way only, can our traditional form of government be preserved, and yet the whole people be brought under the sway of a uniform law.

In advocating this plan, I hasten at the outset to meet an objection as to its practical feasibility. How can the States be brought to the concert of action which the plan presupposes? How can the movement be initiated?

If the effort were now made to induce all the States to join in the establishment of a commission to codify the whole body of statute law, I admit that the effort would prove futile. The idea is a new one, and would excite conservative opposition by reason of its novelty. But the plan proposed is susceptible of a *partial* application and test. If a few of the States could be induced to unite in the formation of a joint commission to draw up a body of law relating to a single subject, the principle of concurrent codification would thus be introduced; and when once established, the principle might be left to work out its own extension and development. For this purpose, the present agitation regarding the law of marriage and divorce affords a ready nucleus. Probably, not less than one-half of all the States of the Union would now unite in the appointment of a commission, to be composed of delegates from the several States, for the purpose of compiling a body of statutes covering the whole subject of marriage and divorce; the code thus formed would not, of course, have the force of law in any State until formally enacted by the legislature of that State; but it is safe to conclude that if the commission were judiciously constituted, its work would be ultimately adopted by the States with substantial unanimity—and thus the blessings of a uniform law throughout the Union on this vital subject could be secured.

The time is now ripe for this concurrent State action on the subject of marital law, and should such action be taken, resulting in the successful redaction of a code of marriage law, the event would mark an important epoch in our national history. It would

demonstrate the possibility of concerted action by the States, and would establish a precedent of inestimable value. The same method would then seem the easy and natural one through which to secure amongst all the States a uniform code of railroad law, or of law relating to corporations generally.

There is a strong tendency already apparent among the several States (led, in this respect, by the State of New York) toward the general codification of the law of the State; and if the principle of joint or concurrent codification by the States in common could once have a practical exemplification, as in the proposed instance of a code of marriage law, the time would not be far distant when the plan I have proposed would become in its widest extent not only feasible but popular—the plan, namely, of the States uniting in the appointment of a commission to prepare a general code of public law, to be submitted to the legislatures of the several States, for their separate adoption and enactment.

The plan of concurrent codification by the States themselves will not only secure the benefits of a uniform law throughout the Union, but when viewed from many sides it commends itself as the best remedy that can be applied to the existing conflict of State laws. It falls in with the tendency of the times, just adverted to, demanding codification within the separate States. The worst enemies, not less than the advocates, of legal codes will concede that one common code, even of average excellence, is more tolerable than the thirty-eight separate and different ones with which the country is now threatened. But a code which embodies the widest legal experience and the best legal ability, culled from all the States, will be in itself more exact, more practical, more cosmopolitan, than any code which is likely to be produced within any single State.

Then, the principle of concurrent State action will impose the best practical check upon the popular drifting towards Federal centralization, which is the most serious danger that now threatens the perpetuity of our historical form of government. The plan proposed will secure the States in the exercise of those functions with which they were left endowed by the founders of the republic, but functions which are now tending toward progressive absorption by the Federal, and only central, power; it will insure the civil government of the people *by the States* upon the basis on which the Union was formed; and will impart to that government the

harmony which is indispensable to the prosperity of a wide-spread but thoroughly consolidated nation.

It would be necessary to provide for the settlement of differences in the judicial construction and application of the code which would be apt to arise, placing the courts of the different States at variance. Practically. such differences would generally be developed in controversies between citizens of the conflicting States; and those controversies, being between citizens of different States, would fall within the jurisdiction of the Federal courts, with a right of ultimate appeal to the Supreme Court. The judges of the State courts have always manifested a disposition to weigh and to respect judicial decisions rendered in sister States, and have intelligently striven to harmonize the rulings in kindred cases. With this traditional attitude of the State courts and with the right of final recourse to the Supreme Court, there is little ground to apprehend any serious divergence in the judicial application of a national code of laws.

The plan I have proposed, of concurrent codification by the States, if it proceeded no further than the enactment of an uniform code of civil law, would prove an imperfect remedy for the conflict of State laws; it would, indeed, yield complete temporary relief, but it would afford no efficient guaranty for the future. The plan involves a further element, vital to its success, to which I have not yet adverted.

A written code of law, no matter how excellent, is of necessity only a *temporary* expedient. The life of a people is an unceasing development; new habits of life, new forms of business activity, new conditions of material and moral and social growth are constantly springing up, changing the face of society and changing its interests and its needs. In like manner, civil law, if it at all fulfils its function, must be a living and growing science, adapting itself with plastic energy to these varying forms of the society it governs. It is to such expansive and adaptive properties of the Common Law, the unwritten law, that the robust development of the Anglo-Saxon races is, in no small measure, due. A written code is less pliable under new conditions; it holds society in a rigid mould which tends to trammel its free growth. This is perhaps the strongest argument of those who oppose any general codification of law as a measure vicious in principle. The argument is not, I conceive, unanswerable, but the truth on which it is based is indisputable.

The law can be cast in the form of an inflexible code, but it cannot long maintain that form unaltered in the midst of a healthy society.

Suppose, then, our national code of civil law to have been jointly elaborated and separately adopted by all the States in the manner suggested, with the amplest provisions to secure its harmonious enforcement. Not a year would elapse before the flux of the current of national life would necessitate changes, amendments, amplifications, in that code; and the separate States, having, as now, no medium or agency by which to secure their uniform action, would begin immediately to diverge again, through amendments that would be diverse, incongruous, wholly irreconcilable. The ultimate result, within a decade or two of years, would be confusion worse confounded, and the conflict of State laws again in full course. Is there any way to meet this difficulty? How can the States, when they have once gained for themselves an harmonious system of law, be preserved from *future* divergence and conflict?

The answer to these questions will complete the exposition of the plan I am proposing as an effective cure for the conflict of State laws; and the answer is this. The agency used to bring the States into harmony must be made a continuing agency. The joint convention to which is entrusted the redaction of the national code, must be constituted a permanent council, perpetuated by reappointments as occasion may suggest, and holding annual sessions. No amendment to the national code should be adopted by any State until it had first been submitted to such council for consideration. The council, composed of the ablest jurists selected from the several States, would constitute a most august body and would fill a position of commanding influence and dignity. Its members would be brought into the closest personal relations with the executive, judicial and legislative departments of their several States; and any measure of legislative concern brought before this body, would have light thrown upon it from every section of the country, would be discussed in the broadest national spirit, and would be decided with an intelligent apprehension of the situation and needs of the entire nation. This body would have no legislative power and could exercise no coercive force over any State; it would be simply an advisory council for all the States participating in it; but it would occupy a high vantage-ground, in comparison with any State legislature, or any possible State legislative commission, in pronouncing on every measure of proposed general legislation.

The moral power of such an official body would surely be effectual to preserve the States from any serious divergence, and to maintain throughout the whole country a substantially uniform, an enlightened, a progressive jurisprudence. If the proposed council were only self-constituted or voluntary, it may be doubted whether it could attain an effective degree of influence; but I think that its power and the public estimation of it would be greatly enhanced by its official character and by the fact that it was formally constituted by the State for the purpose of directing the course of legislation. The State legislatures would realize, and if they did not the people would force them to realize, that the conclusions of such a council could not be lightly disregarded.

The practical service which such a permanent council could render to the country would be of inestimable value. It would constitute a standing "commission" at the service of all the States for the investigation of those difficult questions of legislative policy, which are now frequently submitted in each State to special commissions; and it would enter upon the examinations of such questions with peculiar qualifications, and having at its command unrivalled facilities. The council would prove itself a powerful agency in communicating to the State legislatures and to the people at large, broader views and more enlightened intelligence regarding the subjects of legislative action and their national bearings.

The sovereignties of Europe maintain ambassadors at the Courts of each other, that each may keep informed of the official action of the rest and may guard itself against any foreign policy prejudicial to its own interest. Diplomacy is found necessary to preserve the harmony of Europe. The States of this Union, so far as their legislative functions extend, are sovereignties, as independent of each other as are the States of Europe, and the necessity for maintaining harmonious State policies is ten-fold more urgent here than it is in Europe. But there is no official agency whatever for holding the States of the Union to uniform lines of policy; there is no official medium of communication between the States, whereby the legislature of one State can gain knowledge of the action of sister States, or the legislatures of different States be placed *en rapport* with each other on matters requiring concurrent action.

Each State is pursuing its own independent and narrow policy,

while the *nation* has outgrown the States. A consolidated people has spread from the Atlantic to the Pacific, with interests so interwoven and complicated, that they can no longer be locally dissevered, and compressed within the compass of conflicting systems of State law. These local systems *must* be unified, made more cosmopolitan, broadened and harmonized to meet the national requirements, or else they *must* be suppressed and supplanted by a central and federal jurisprudence. The logic of events is forcing this inevitable issue. The civil government of the Union by States can only be perpetuated by bringing the States into a harmony corresponding to the unity of the people. Concurrent action of the States to attain this end, or complete Federal centralization, is the only ultimate alternative.

I advocate the only conservative course—the preservation of the constitution, the maintenance of the Union as it was originally founded, the continuance of the traditional form of government. I deprecate the other remedy, that of Federal centralization; it is revolutionary, it is fraught with evils that are palpable, and it contains, beside, the menace of unknown dangers.

II. THE PARDONING POWER: WHERE SHOULD IT BE LODGED AND HOW SHOULD IT BE EXERCISED?*

BY FRANCIS WAYLAND, CHAIRMAN OF THE DEPARTMENT OF JURISPRUDENCE.

Pardon, in its broadest sense, has been defined, correctly enough, as "An act of grace by which the sovereign declares that the guilty shall be regarded as innocent."

Pardon, in its legal sense, though always nominally and often really an act of grace, simply abstains from enforcing the still unsatisfied penalty imposed by law after conviction.

The definition of Chief Justice Marshall, in U. S. *vs.* Wilson, 7 Peters, 150, has been quite generally accepted by text writers as sufficiently accurate: "A pardon is an act of grace which, proceeding from the power entrusted with the execution of the laws, exempts the individual on whom it is bestowed from the punishment which the law inflicts for a crime which he has committed."

Even if this is an adequate definition for general purposes, it should not be overlooked in such a consideration of the pardoning power as is proposed at this time, that it is incorrect in various essential particulars.

First.—The act of grace proceeds from the sovereign, or whomsoever the sovereign may designate to exercise the power. In this country, the power remains with the sovereign people as represented by the legislature when it has not been delegated to the executive, alone, or acting with the advice and consent of a council, or of some or all of the officers of State, or a board specifically selected to perform the duty.

Second.—Pardons are frequently granted for the sole reason that the petitioner is innocent of the crime for the alleged commission of which he has been suffering a penalty.

Third.—There are often incidental penal consequences attached to conviction for crimes, from which a pardon does not always absolve the criminal, such as forfeiture of the elective franchise, incompetency to testify, &c., &c.

A more correct definition of pardon, as practically in operation

*This paper, first read before the National Prison Association, Sept. 8, was submitted in the Jurisprudence Department, Sept. 11, 1884.

in this country, would be a *remission of the penalty imposed by a court of justice.*

Let us now inquire how the exercise of this power is regulated in the States of our Union.

In twenty-eight States the pardoning power is conferred on the Governor by constitutional provision.

In several States it is by the Constitution made subject to such limitations as may be, by law, provided relative to the manner of applying for pardons. In Indiana, constitutional provision is made by virtue of which the General Assembly may, by law, constitute a council composed of officers of State, without whose advice and consent the Governor shall not have power to grant pardons in any case, except such as, by law, may be left to his sole power.

Generally, it would seem to have been assumed, where not specifically provided for, that when the pardoning power is lodged in the hands of the Governor, the legislature may prescribe in what manner the power may be exercised; as in the statute enacted in California in 1860, providing that pardons shall not be granted in any case where the applicant has been twice convicted of felony, unless upon written recommendation of a majority of the judges of the Supreme Court.

In Iowa, where the constitution provides that the pardoning power of the Governor shall be subject to such regulations as may be provided by law, it has been enacted that after conviction of murder in the first degree, no pardon shall be granted by the Governor until he shall have presented the matter to and obtained the advice of the General Assembly thereon.

In three of the States the pardoning power is lodged in the hands of the Governor and a council. In Maine the council consists of seven, elected annually by the legislature; in Massachusetts of eight, elected annually by the people; in New Hampshire of five, elected biennially by the people.

In two States, Rhode Island and Louisiana, the constitution confers the power to pardon on the Governor, by and with the consent of the Senate.

In the remaining States the following provisions are made for the exercise of the pardoning power:

In Florida and Nevada by the Governor, Justices of the

Supreme Court, and the Attorney General, or the major part of them, of whom the Governor shall be one.

In New Jersey by the Governor, Chancellor and six Judges of the Court of Errors, or a major part of them, of whom the Governor shall be one.

In Pennsylvania, by the Governor, on the recommendation of the Lieutenant-Governor, Secretary of State, Attorney-General and Secretary of Internal Affairs, or any three of them.

In none of the foregoing States is unanimous consent required: in nearly all of them, cases of impeachment and treason are exempted from the jurisdiction of the delegated pardoning power.

Our enumeration thus far has included all of the States but Connecticut, which will be considered hereafter.

In many States, it is made the duty of the Governor to report annually to the Legislature or to file with the Secretary of State the number of pardons granted, with the material facts in each case and the reasons for granting the pardon.

While in the large majority of States it is specifically provided that the pardons may be absolute or conditional, with such conditions as may be deemed salutary checks upon criminal inclinations, it has been urged with much show of reason that the right to grant absolute pardons includes the right to annex conditions. Certainly, this power of annexing conditions, judiciously and humanely exercised, is of great value in the restraint imposed upon the offender, and the protection afforded to society.

It should seem sufficiently obvious that conditions should be reserved for those cases in which it is conceded or believed that the petitioner for pardon was guilty of the crime for which he has been suffering the penalty. Yet an incident which recently occurred in Massachusetts serves to show that so plain a principle is sometimes overlooked.

One Donahoe was sentenced in 1872, by the Superior Court in Suffolk County, to fifteen years in State Prison, for rape. In December, 1876, on the recommendation of the Attorney-General and on the discovery of new evidence that he had not been guilty of the crime of rape, he was conditionally pardoned; the condition being that if he were subsequently found guilty of another crime, he should be compelled to serve out the unexpired term of his original sentence! In 1878, Donahoe was convicted of larceny and sentenced to two years in the State Prison. Re-

leased on the expiration of this term of imprisonment, he was recommitted for breach of the condition annexed to his pardon. After he had served a year's confinement on the original sentence, it occurred to the pardoning power that (I quote from the official record), "if the Governor and Council of 1876 were satisfied that Donahoe was not guilty of the crime charged, even a breach of the conditions of the pardon they granted does not justify the present Executive in punishing him for that for which a former tribunal has found him not guilty."

This brief summary of the provisions in the several States with reference to pardons is a natural, if not necessary introduction to the consideration of the first branch of the subject before us, viz.:

"Where should the pardoning power be lodged?"

Now, remembering that the petitioner must be supposed to have had a fair trial, before an impartial jury and a competent judge, with the defence of counsel and always with the presumption of innocence in his favor, the conclusion cannot be escaped that there is a very strong probability that the verdict pronouncing him guilty was justified by the evidence and that the sentence of the court was deserved. Bear in mind, also, that the decision of the jury must be unanimous. The dissent of a single unconvinced juror from the conclusions of the remaining eleven, renders conviction impossible.

From this, certain inferences seem to invite attention.

First.—As a hearing on a petition for pardon often involves a rehearing of the case or the determination of the value of evidence purporting to be new and material, is it not obvious that the tribunal which is to pass upon the question should have a judicial element?

Second.—As the plea of insanity is frequently raised, is it not expedient that the tribunal should contain an expert in mental disease?

Third.—As men convicted of aggravated crimes are sometimes possessed of very considerable political influence, by reason of the votes which they or their friends can control, is it not in the highest degree important that the tribunal should be superior to all partizan considerations?*

*The legislature of Kentucky has sought to protect the Chief Magistrate of that State from temptation by enacting the following statute—"If any person, other than an officer of the Commonwealth, for fee or reward or the promise thereof,

I need hardly say that it would be unreasonable in the extreme to expect to find all these qualifications combined in the person of a single individual, elected by popular vote, on the nomination of a political convention. Nor could we reasonably count upon much greater fitness for this important duty in a body of men with no especial preparation or aptitude for the discharge of such a trust as we are considering.

Every dictate, therefore, of common sense, as well as every lesson of experience and observation conducts us to the conclusion that the pardoning power should be lodged in a Board of Pardons, so constituted as to secure action which shall be at once intelligent, wise, impartial, and, in the truest sense, humane.

And this brings me to the State of Connecticut. For years it was the only commonwealth in the Union which retained in the hands of the legislature the right to grant pardons. The Constitution was silent on the subject, and the power was not delegated. The evils of the system were flagrant, and in time became intolerable. It was not easy to overcome the reluctance of the legislature to surrender a right so long exercised, but after several successive years of struggle and defeat, the friends of a reform in the mode of dealing with pardons presented a bill so judicious in its provisions, and so broad in its scope, as to secure the almost unanimous approval of the law makers. I make no apology for presenting it for your consideration.

An Act to Establish a Board of Pardons.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. The Governor, a Judge of the Supreme Court of Errors, to be designated for that purpose by the Judges of that Court, and four persons to be appointed by the General Assembly, one of whom shall be a physician, shall constitute a Board of Pardons for this State; *provided* that in case a Judge of the Superior Court who is a member of said Board of Pardons shall have tried a case in the Superior Court, he shall not act on said Board of Pardons in the same case, but the Chief Justice, in such case,

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shall engage or assist in procuring the passage of any bill or act or the rejection thereof by the General Assembly, not being a member thereof; or *the granting or refusing of a pardon or remission or respite of any punishment or fine by the Governor* he shall be fined not less than $20 or more that $500—but this act shall not apply to an Attorney at Law," &c., &c.

shall designate a Judge of the Superior Court to act in such case on said Board of Pardons.

SEC. 2. The jurisdiction for granting commutations of punishment and releases, conditional or absolute, from the State prison, shall be vested in said Board.

SEC. 3. The Board hereby established must all concur in order to make their judgment of commutation or release operative. It shall hold two sessions at Hartford in each year, beginning the first Monday of December, 1883, and thereafter the meetings shall be held on the first Mondays of June and December in each year, at the Supreme Court room in said City, and it may hold special sessions, when and where occasion may require, and it may fix by rule the mode of procedure before it, and the manner in which its judgments shall be carried into effect.

SEC. 4. The General Assembly shall appoint two members of said Board, who shall hold their office for one year from the first Monday of June, 1883; two members who shall hold their office for two years from the first Monday of June, 1883. The General Assembly shall annually hereafter appoint two members of said Board, not more than one of whom shall be of the same political party, who shall hold their office for two years from the first Monday of the following June, and shall, at its annual session, fill any vacancy in said Board for the remainder of the unexpired term. Any vacancy arising when the General Assembly is not in session may be filled by the Governor until the Wednesday after the first Monday of the following January.

SEC. 5. The members of said Board shall receive no compensation for their services, but shall receive for their necessary traveling and other expenses five dollars per day for each and every day actually employed in the duties of said Board; and said Board shall have power to appoint a clerk, who shall receive a salary of two hundred dollars per annum.

SEC. 6. This act shall take effect from its passage.

The rules of practice established by the Connecticut Board of Pardons, are as follows:

(ADOPTED DECEMBER 3, 1883.)

I.

All proceedings for release shall be instituted by a short petition containing the name of the petitioner, his age and nationality, a statement of the crime of which he was convicted, when and where the same was committed, when sentenced and for how long, what commutation has been earned by good behaviour, whether this is first imprisonment and whether prior applications for release have been made, and finally setting forth special claims for consideration. The following is suggested as a short and convenient form for such a petition:

To the Honorable Board of Pardons for the State of Connecticut, to be convened at Hartford on the first Monday of A. D. 18 .

The petition of
for release from State Prison, respectfully represents:

1.—That he is years of age.
2.—That he was born in
3.—That he was convicted of the crime of at in the County of in 188 , and sentenced to imprisonment for a period of years and months. Said crime having been committed in the Town of
4.—That by good behaviour he has earned a commutation of months of said sentence.
5.—That this is the time he has been in prison.
6.—That this is the time he has applied for release.
7.—That he claims especial consideration because he says,—

The petitioner therefore prays your Honorable Board to take his case into consideration and grant him the relief herein prayed for; and as in duty bound he will ever pray.

Dated at Wethersfield, this day of A. D. 188 .

II.

No petition shall be heard unless the same shall have been filed with the Clerk of this Board at least thirty days before its regular sessions in December or June, and notice of the pendency of such petition shall have been published in a newspaper printed in the County in which the prisoner was convicted, at least two weeks successively before such regular session, and a copy of the newspaper in which such notice is published shall be filed with the Clerk of this Board.

III.

Unless otherwise ordered, arguments on all questions of fact will be limited to fifteen minutes.

IV.

The seal of the Board shall be the seal of the State of Connecticut surrounded by the words,—"The Board of Pardons."

V.

A clerk of the Board shall be elected at its December session every alternate year, who shall hold his office for two years.

VI.

It shall be the duty of the Clerk of this Board to notify the State's Attorney of any county where the petitioner was convicted, of the pendency of such petition, and request him to appear and

be heard by himself and his witnesses, if he sees fit, in opposition to the same.

VII.

It shall be the duty of the Clerk to keep the seal and records of the Board; to receive the petitions for release and keep a docket of the same; to give the required notices to the State's Attorneys; to note and keep on file a brief statement of each case; to record the official proceedings of the Board; to issue all warrants of release and perform such other duties as may, from time to time, be required of him by the Board.

VIII.

When the prayer of a petitioner shall have been granted, there shall be issued an order by the Clerk under the seal of this Board and countersigned by all the members thereof, to the Warden of the State's Prison, commanding him to release the prisoner from confinement, and such order so attested shall be his warrant for the release of said prisoner.

The Board, as now constituted, consists of the Governor, *ex-officio*, the Chief Justice of the Supreme Court of Errors, a physician of high repute and an expert in mental disease, an editor long interested in prison management, and two prominent members of the Connecticut bar.

The result of the first twelve months of the new tribunal as compared with a few previous years, is as follows:

1879,	Percentage of	pardons to	petitions,	22
1880,	"	"	"	20
1881,	"	"	"	13
1882,	"	"	"	21
1883,	"	"	"	7½

The remaining question: "How shall the pardoning power be exercised?" is one of extreme and acknowledged difficulty. The difficulty will perhaps diminish if we keep distinctly in view a few general principles or propositions.

First.—The object of imprisonment for crime is to protect society by confining and reforming the criminal.

Second.—Thorough moral reformation in a prison where there is no systematic, individual treatment, is more often superficial than genuine.

Third.—Society has a right to insist on adequate protection from convicted criminals.

Fourth.—The presumption of innocence does not survive a verdict of guilty.

Fifth.—The deterrent element of punishment resides mainly in its certainty.

And now for some of the practical bearings of our subject. It would seem to be too evident for argument that a Board of Pardons should conduct its proceedings largely according to rules and usages prevailing in courts of justice. Indeed it would be wiser, perhaps, to call such a tribunal a Court of Pardons. For obvious reasons, no pardon should be granted except by the unanimous consent of the Board. Unanimity was the prerequisite to conviction.

Clearly, the desire to escape punishment which dictated the defence on the trial will be intensified now that the punishment has commenced. Therefore every statement, whether of fact or opinion, made in behalf of the petitioner should be scrutinized with the utmost vigilance in accordance with these rules of evidence which have proved so effectual for the discovery of truth and the detection of falsehood or mistake.

It goes without saying that no petitions in aid of an application for pardon should be entitled to the slightest consideration unless the petitioners submit to an examination in open court, to test their means of knowing the facts which they assert, or the value of the opinions which they express. Where this is impossible, a disposition should be demanded with opportunity for cross-examination. *Ex parte* affidavits, unfortunately, are too easily obtained to be reliable in critical cases, while it is notorious that petitions are daily signed by reputable citizens with absolutely no knowledge of the truth of the statements which they contain. To attach any serious importance to petitions for pardon, "numerously and respectably signed," without such a personal examination as is here commended, would be as dangerous as to refer the whole matter to the decision of a town meeting.

If reference is made to the evidence given at the trial, the minutes produced and relied on should be amply authenticated by the presiding judge and, when that is impracticable, by the prosecuting officer.

If newly discovered evidence is claimed, it should be made to appear that such evidence conclusively shows the petitioner to

have been innocent of the crime of which he was convicted. If it is contended that the sentence was too severe, it must be borne in mind that the decision of the judge, formed when all the facts were fresh in his mind, should not be overruled except on overwhelming proof that he erred. Evidence of good character should be presented at the trial and after verdict in mitigation of sentence. Ordinarily it should not have much weight with the pardoning tribunal. The prisoner's good conduct while undergoing sentence should be and generally is rewarded by a fixed remission of so much time for such a period of uniform obedience to prison regulations. It is most unwise to base any theory of thorough reformation on the conduct record alone. It is the testimony of all prison officials whom I have consulted on this subject that the most hardened criminals are most likely to earn a reduction of their alloted term.

The belief that the prisoner is incurably ill and has not long to live, is frequently urged as a reason for pardon, and is often effectual. It is by no means clear that this plea should ever prevail; at all events it should only succeed after a most thorough and searching investigation, and on the concurrent testimony of the best obtainable medical authorities. A few years ago a convict was pardoned by the Governor of a New England State on the ground, plausibly supported, of incurable illness, and the manifest prospect of speedy death. In less than a month he was arrested in the act of committing a burglary in a neighboring State. Surely, in this instance, society was not adequately protected. Illustrations of the same kind might be indefinitely multiplied.

Another reason for the exercise of mercy, so called, which is often pressed upon the attention of the pardoning power, is the fact that the family of the prisoner is in destitute circumstances, and requires his assistance. We need not pause long over this kind of appeal. It has nothing whatever to do with the merits of the case.

If innocence of the crime for which the petitioner is suffering be clearly shown, his pardon should be granted,—strictly speaking his unconditional and immediate release should be ordered,—as an act of simple justice.

If it be made to appear beyond any reasonable doubt, that the sentence was unwarrantably severe, this would seem to be a fit-

ting case for the exercise of executive clemency. It is hardly necessary to illustrate my meaning further than to allude to the fact that in times of great popular indignation over the alarming prevalence of crimes of violence, the first victim who is caught and convicted is often made to suffer, not only for his own offence, but for the undetected outrages of other ruffians, and is visited with a sentence which would be at once pronounced by all excessive, but for its surroundings.

There remains another class of cases which naturally, and perhaps deservedly, will appeal with great force to the attribute of mercy. I refer to exhibitions, on the part of prisoners, of conspicuous courage, loyalty, fidelity to duty in seasons of excessive danger, whether from an epidemic, a revolt, a fire or any crisis demanding prompt decision for or against the prison officials.

There may be other reasons which from time to time are urged upon the pardoning power by sympathizing friends or subsidized attorneys of prisoners impatient of confinement. No two cases will be precisely similar, but there are, as I have sought to show, certain general principles applicable to all cases. It is believed that an intelligent and impartial Board, keeping these principles ever in view, and pardoning only by unanimous consent, is not likely to go often astray, or to commit serious mistakes.

Note.—This Paper was discussed by Ex-President Hayes, who presided when it was read, by Prof. Wayland, Mr. Sanborn, and others; but no report of the debate has been preserved.

III. THE THREEFOLD BASIS OF THE CRIMINAL LAW.

BY REV. F. H. WINES, OF SPRINGFIELD, ILL.

(Read Thursday, September 11.)

The question of the punishment of crime, which has attracted the attention of the most eminent thinkers, may be discussed either from its philosophical, or its historical side; but here, as elsewhere, it will be found that while history illustrates philosophy, philosophy illuminates history. By common consent, there are but three possible grounds upon which the infliction of pain upon offenders against the criminal law can be justified, namely: retribution, protection and reformation. Some writers reduce these three to two, — retribution and protection. Others reject the idea of retribution, and resolve the remaining two into one,—protection; for, in their view, the reformation of the criminal is one form of protection of society against crime, and the attempt to accomplish his reformation, contrary to his own will, would, on any other ground, be indefensible.

It is my purpose, in this paper, to give what appear to be valid reasons for believing that the criminal law ought to be based, and is, in fact, based, not upon any of these three principles, nor upon any two of them, but upon all three taken together; that, though inter-connected, they are independent of each other; and that the denial of either is perilous to the stability and security of society.

To begin with the historical argument, it is clear that in the primitive state of mankind, when international (or, to speak with greater precision, intertribal), disputes were settled by arms, and personal disputes were referred to the same stern tribunal, and commonly ended in murder, the criminal code, in its then crude and undeveloped form, was a bloody code. Usage, not written statutes nor judicial decisions, constituted law; and usage sanctioned public and private retaliation. That murder should be avenged by murder, that he who strikes another should himself be struck, said Æschylus, is the most ancient of all laws. The *lex talionis* may be traced through all the codes of antiquity of which we have any knowledge, — Egyptian, Syrian, Assyrian, Persian, Greek or Roman. To every reader of the Bible, it is familiarly

known under the form in which it was enunciated by the great Hebrew lawgiver: an eye for an eye, and a tooth for a tooth.

In the ancient criminal jurisprudence, there are also distinct evidences of the existence of a desire for self-protection, suggesting many of the bloody deeds with which the early pages of the world's history are stained. In the earliest times, offences even against a ruler, were regarded rather as private than public, as torts or injuries, rather than crimes. At a later date, the distinction between public and private offences began to be recognized. But it may be readily imagined that always and everywhere, the primitive man looked upon the punishment of a wrong as an act, like war, at once of vengeance and of self-defence. In the estimation of a despot, nothing could have been of more importance, than that he should rid himself effectually of rebels, traitors and rivals; and no doubt myriads of lives were a forfeit to the sentiment of fear. In no other way can we account for the inclusion of the offspring of a political offender in the sentence pronounced against himself. Sometimes religious motives prompted the most horrible atrocities. The history of our race is a record of successive superstitions, and the dread of divine displeasure was often inextricably blended with the fear of human enemies. Certain acts of supposed impiety were believed to excite the anger of the gods against the tribe or nation, and for the appeasing of the gods, human sacrifices were essential. We see in such sacrifices the early recognition of the double nature of punishment, retribution and protection, or protection by expiation.

The gradual amelioration of the barbaric severity which repaid nearly every conceivable offence with death, was effected by the introduction of a system of compounding offences by the injured party, who accepted from the man whose life was forfeited to him an agreed recompense in money, or its equivalent. In this way, by degrees, fines came to take the place of bloodshed. The frequency of capital punishment was also arrested by the system of sanctuary. Before the Christian era, however, there does not appear to have been any purpose in the criminal law to protect society against crime through the reformation of the offender. Jesus Christ taught that we must forgive our enemies, and that "If we forgive not men their trespasses, neither will our Father which is in heaven forgive us our trespasses." The Apostles insisted upon the duty of forgiveness. "Dearly beloved," said the

apostle Paul, "avenge not yourselves, for vengeance is mine, I will repay, saith the Lord." And again: "Brethren, if a man be overtaken in a fault, ye which are spiritual restore such an one in the spirit of meekness, considering thyself, lest thou also be tempted." But it was long before the application of these admonitions to the treatment of crime and criminals forced itself upon the notice even of Christian nations. Practically, the movement for the amelioration of the condition of prisoners and the effort to secure their reformation while in prison, dates from the last century only.

With modern criminal jurisprudence, most students of penology are more or less familiar, and know that what is termed the *échelle des peines*, or scale of penalties is, upon the continent of Europe, a fruitful theme of discussion. The *échelle des peines* is an attempt to adjust penalties to the supposed magnitude of the offences against which they are denounced in the code. Something of the same indistinct apprehension of an ideal proportion between crime and punishment is apparent in our own codes, with their minimum and maximum terms of imprisonment, which vary according to the supposed heinousness of the crimes to which they attach. If there were no actual ground in the constitution of the human mind for belief in the principle of the *lex talionis*, it is difficult to see how this attempt to adjust punishment to guilt could have originated, unless it is merely a survival of an obsolete conviction. It is certain that the idea of retribution is less vivid now than formerly, but it is pertinent to put the inquiry: If it has been dropped from criminal legislation, when and where did this revolution in criminal jurisprudence take place? I confess that I do not know.

Obviously, the questions of the actual and the ideal basis of the criminal law are distinct questions. It is one thing to assert that the law ought to ignore the idea of retribution, and it is quite another to assert that it does in fact ignore it. I am somewhat embarrassed to know how to treat the subject, in consequence of my ignorance of the ground to be taken by my opponents, if I have any, in this discussion.

Reference has been made to the supposed measure of guilt; but it is difficult to find such a measure. Guilt is not measured wholly by the heinousness of the act committed, nor by the evil intention of the actor, nor by the magnitude of the injury resulting from the

criminal act. It is rather a compound judgment arising from our apprehension of all three of these elements, which are in themselves distinct from each other. The difficulty of estimating the guilt of an offence is illustrated by the fact that when legislatures are required to form such an estimate, and to embody it in statutes, they allow such a wide range of discretion to judges in pronouncing sentence, as they do, ranging in some cases from a petty fine without imprisonment, to imprisonment for a long term of years. No code with fixed penalties has ever proved satisfactory in practice. It is further illustrated by the fact that judges do not agree in the sentences pronounced by them in their discretion, as every one familiar with the interior life of American prisons very well knows; since one prisoner may be sentenced by one judge for a long term of years for the very same offence for which another prisoner receives, at the hands of another judge, a merely nominal punishment. Undoubtedly, the agitation of the question of reform in the criminal law, springs largely from the conviction that justice, in the strict sense of the word, cannot be dealt out by fallible human tribunals, and that the only judge who is qualified to pronounce final sentence upon the guilt or innocence of those brought before him, is the great Judge of the quick and the dead, before whose bar all must one day stand. And yet are not human judges as fallible in their decisions in civil as in criminal cases? It was, I believe, after a decision rendered against an attorney who pleaded his own cause in a civil court, that he uttered the famous sarcasm, in the form of a definition of law: *Law is the unequal distribution of injustice.*

Without law, nevertheless, society could not exist, and every law consists of two parts, a command or prohibition, and a sanction, which is a threat of punishment in case the law is violated. Punishment is the infliction of pain. The words "pain," "penalty," "punishment," "penitence," and "penitentiary," all have the same derivation from the Latin word *poena*, which signifies pain. To punish is to inflict pain upon one who deserves it. Penitence is the mental pain which springs from the consciousness of ill-desert. A penitentiary is a place in which those who are punished may exercise the grace of penitence. Without the infliction of pain, punishment is impossible.

The idea of punishment implies two parties, one of whom deserves to be punished, and in the other, the right to punish must

inhere. But it appears to be clear that the right to punish must exist prior to the act of punishment, and that it must depend rather upon the antecedents than upon the consequences of that act. In the order of logical sequence, cause must precede effect, and the cause must be sufficient to account for the effect, without reference to the effects of the effect. In the chain of cause and effect, of which crime and punishment are separate links, the original cause is a criminal disposition, which leads to a criminal act, which is followed by punishment, and punishment is in turn the cause which produces certain other effects. For instance, it has an effect in deterring others from committing crime; and it has an effect in deterring the criminal himself from the repetition of his criminal act; and it may lead him to such serious reflection as will produce in him genuine amendment of purpose and reformation of character. But the right to punish does not have its origin in the effects which follow punishment, but in the conviction entertained, prior to the act of punishment, that punishment is deserved. The experience which we have of the effects of punishment may constitute a subsequent and subordinate (or even a principal) motive for insisting that crime shall be punished, and it may modify the form and the degree and the mode of punishment; but it cannot affect the right to punish, without which there can be no law, and without law, no social order.

The philosophical basis of punishment is the principle that action and re-action are equal and contrary, a principle which is of as unvarying application in morals as in physics. Punishment is the reaction against crime. A wrong done, whether to an individual or to the community, produces a sentiment of indignation and detestation, on the part not only of those who suffer wrong, but of all who witness a criminal act. The indignation felt may be misdirected or excessive. But of this sacred anger, even celestial minds are capable, and it is essential to all true manhood. The natural, though often mistaken and ill-judged, expression of hostility to wrong, is the infliction of pain upon the wrong-doer. Now law and government deal with men not as they should be, and in an ideal state might be, but as they are. All government is in effect a compromise between the ideal and the actual. Laws in the form of statutes are the expression of our imperfect conception of relations, conditions and obligations, which would be precisely what they are, were there not a written statute in the world;

except in so far as written law has an educational value, or is the embodiment of purely police regulations. Under the operation of law, the passions of mankind find vent in an orderly manner, where, without law, they would lead to disorder and excess. But no law can change human nature. Accordingly, we find that, wherever the laws against crime are weakly administered, the people, largely from an instinct of self-protection, no doubt, take the law into their own hands and execute it. I apprehend that, if all thought of retribution were to be eliminated from criminal jurisprudence, this would be the natural and inevitable result.

The following quotation from the tenth chapter of Maine's Ancient Law is confirmatory of the view just expressed: "Like every other institution which has accompanied the human race down the current of its history, the punishment of death is a necessity of society in certain stages of its civilizing process. There is a time when the attempt to dispense with it baulks both of the two great instincts which lie at the root of all penal law. Without it, the community neither feels that it is sufficiently revenged on the criminal, nor thinks that the example of his punishment is adequate to deter others from imitating him. The incompetence of the Roman Tribunals to pass sentence of death, led distinctly and directly to those frightful revolutionary intervals known as the Proscriptions, during which all law was formally suspended, simply because party violence could find no other avenue to the vengeance for which it was thirsting. No cause contributed so powerfully to the decay of political capacity in the Roman people as the abeyance of the laws; and, when it had once been resorted to, we need not hesitate to assert that the ruin of Roman liberty became merely a question of time. If the practice of the tribunals had afforded an adequate vent for popular passion, the forms of judicial procedure would, no doubt, have been as flagrantly perverted as with us in the reigns of the later Stuarts, but national character would not have suffered as deeply as it did, nor would the stability of Roman institutions have been as seriously enfeebled."

To this quotation I will add another, which seems to be in point, from the 17th chapter of Stephens' History of the Criminal Law of England: "If, in all cases, criminal law were regarded only as a direct appeal to the fears of persons likely to commit crimes, it would be deprived of a large part of its efficiency, for it operates

not only upon the fears of criminals, but upon the habitual sentiments of those who are not criminals. Great part of the general detestation of crime which happily prevails amongst the decent part of the community in all civilized countries arises from the fact that the commission of offences is associated in all such communities with the solemn and deliberate infliction of punishment wherever crime is proved. . . The sentence of the law is to the moral sentiment of the public in relation to any offence, what a seal is to hot wax. It converts into a permanent final judgment what might otherwise be a transient sentiment. . . Teh infliction of punishment by law gives definite expression and a solemn ratification and justification to the hatred which is excited by the commission of the offence. . . The criminal law thus proceeds upon the principle that it is morally right to hate criminals, and it confirms and justifies that sentiment by inflicting upon criminals punishments which express it." With this view I concur, except that the sentiment of hatred which is morally justifiable is not hatred of criminals, but of crime; and I would add that such hatred of crime is not only morally right, but of moral obligation, and that it is a sentiment which needs to be stimulated, developed and cultivated, rather than repressed.

In all our thinking upon this abstruse and difficult subject, two distinctions need to be kept constantly in mind. First, we must discriminate between a right and the exercise of that right, or between the right to punish and the obligation to punish. Sound public policy may dictate the waiving of this right in certain cases, and the overlooking of offences instead of punishing them; and society may, in the application of penalty to the individual, distinctly disclaim the intention to inflict pain for the sake of giving pain. But if society has the right to punish, it cannot part with that right, even by its own act. The right remains, even when in abeyance. The other distinction which we must make is between punishment, regarded as an act of justice, and the mode of punishment, which need not be vindictive, cruel or harsh. If, as I have said, the protection of society is a principal aim of punishment, that end should be made duly prominent, and no more pain should be inflicted than is necessary to secure that end. Practically, the only interest which society has in the punishment of crime is its repression or a reduction in its volume, either through the operation of the principle of fear, or through the reformation of the

criminal through the operation of the prineiple of love—love for the criminal as a man, which is not inconsistent with hatred of the erime of which he has been guilty.

It is objected to the retributive theory of punishment, that revenge is a sentiment unworthy of a man; to which it may be replied, that the theory of simple protection makes punishment spring from fear, which is equally a sentiment unworthy of a man. It is also objected that it is eontrary to the teachings of the New Testament; to which it may be replied, that if the New Testament forbids the avenging of injuries, it no less explicitly forbids resistance to evil. Christ said: "I say unto you that ye resist not evil, but if a man will take away thy eoat, let him have thy eloak, also." The Biblical argument, pushed to its extreme logical eonclusion, proves too much; it has even been employed in defence of communism. It is no more eonclusive, when urged against the satisfaction of justice by the punishment of crime, than when it is made to do service in favor of the dogma that capital punishment is ordained of God, and obligatory under all circumstances and in every age.

It is further objected to the retributive theory, that it rests upon the assumption that guilt can be measured, and that punishment ean be adjusted to guilt, but all experience teaches that this assumption is without foundation. To this it may be answered, that the theory of simple protection rests upon the assumption that it is possible to measure the amount of injury inflicted upon society by particular criminal acts, and the danger to society resulting from the enlargement of the criminal—an assumption which is equally unfounded. Such is the imperfection of all human institutions, in consequence of the necessary limitations of the human intellect and conscience, that we might almost say, in the form of a paradox, that punishment does not punish, protection does not proteet, and reformation does not reform; but this is no argument against either. We forever struggle to attain an ideal perfection which is forever beyond our reach.

The argument in opposition to the elimination of retribution from the criminal law has perhaps been presented with sufficient fulness for our present purpose. The argument in favor of the proposition that the protection of society is one object of the criminal law does not need to be presented, since there is no difference of opinion as to this point. It therefore only remains to add

a word with reference to the proper place of reformation in the scheme of criminal jurisprudence.

Upon this subject there are two extreme views, both of which number among their advocates men whose opinion carries weight. One is, that the reformation of the criminal has no place whatever in criminal jurisprudence; and the other, that it should be, though at present it is not, its sole animating purpose. The safer view appears to lie between these two extremes.

The criminal law seeks to protect society, first, against the repetition of criminal acts by the individuals by whom they were committed; and, second, against the spread of crime through imitation, for crime is in its nature highly contagious. Successful crime and crime unpunished provoke emulation on the part of others who are criminally predisposed. The deterrent effect of punishment must never be forgotten. That it does exert a deterrent influence, though sometimes disputed, is abundantly susceptible of proof.

Now there are but two ways by which the criminal himself can be prevented from the commission of fresh crimes; these have been called, by Recorder Hill, of Birmingham, reformation and incapacitation. There are many who seem to think that this easily remembered formula—reformation or incapacitation—sums up in a single phrase all that needs to be said or can be said on the subject of punishment. This would be true, if it were only the convicted criminal against whom the law must protect society. If the man who commits crime is incapacitated, by his execution, or by perpetual imprisonment, society is as safe from his attacks as it would be from the ravages of a wild beast which has been caught and securely confined. But incapacitation should never be resorted to, where reformation is possible. And reformation is itself incapacitation. It may be compared to the extraction of the teeth or claws of a wild beast; for, if the criminal is so wrought upon while in prison, that he no longer has any disposition to commit crime, society is protected against him in the surest manner, and in a way not to offend the sentiment of humanity, but, on the contrary, to elicit public approval and admiration.

The reformation of the criminal, therefore, should be kept in view as an end to be sought, and this end should be made very much more prominent in prison discipline than it is. It is to be feared that the organization of our prisons, (which is the out-

growth of popular ignorance of the principles involved), is such that in practice, at least, the idea of reformation is thrust into the back-ground, and in some prisons wholly ignored. What the people demand of a prison officer is that he shall hold his prisoners, and that he shall, if possible, make them pay their own way while in prison. All else is pretty much left to his discretion. The actual status of a prisoner is that of a slave. Undoubtedly many prisoners are reformed; some of them by genuine conversion of the heart to the love of right, but more of them through the fear engendered by the remembrance of the suffering endured in prison, which forces them to the conclusion that crime is an unprofitable career. But there is a very general conviction among prison officers, founded upon the persistence of certain types of criminal character, that the reformation of criminals is a chimera, and that the time and labor expended in this direction are wasted. My father, on the other hand, used to say, that until an earnest and honest effort to reform criminals while in prison shall have been made, and made by men inspired with the hope of success in such an effort, it will never be known what per cent. of criminals are in fact susceptible of reformation. Criminal law is one thing, but prison discipline is another; and while criminal law may have principally in view the repression of crime, prison discipline should have for its principal object the elevation of the criminal.

It is not surprising that persons who are more deeply interested in questions of prison discipline than in the philosophy of criminal jurisprudence should manifest a very decided leaning toward what is known as the indeterminate or indefinite sentence. There are two forms under which this theory is held, of which one advocates the abolition both of the maximum and minimum sentences now embodied in our criminal statutes; but the other would abolish the maximum only, while retaining the minimum sentence. But, they agree in regarding the criminal not as a transgressor to be punished, but as a moral invalid, to be healed, or a moral imbecile, to be trained and developed. The extreme view contemplates taking both from the legislature and the judiciary all discretionary power to formulate sentences for crime, and vesting this power exclusively in boards of prison control, or in special tribunals, authorized to discharge prisoners from custody whenever satisfied, from the evidence adduced, that the end of punishment in the

reformation of the criminal has been accomplished, or that society would not be endangered in consequence of his release. The other view equally deprives the judiciary of discretionary power in pronouncing sentence, but favors the fixing, by the legislature, of the maximum term of imprisonment. I do not propose to enter into any argument for or against the indeterminate sentence, which, in theory, has much to commend it, and, in some form and measure, might probably work successfully in practice; but I wish to remark that it must be discussed, not from the point of view of prison discipline alone, but upon the higher and broader level of its relation to the non-criminal class; that is to say, upon the basis of the principles which underlie the entire system of criminal jurisprudence, in all its parts. Prison discipline must be made to conform to justice and to the principles of law; but these cannot be subordinated to the fancied needs or interests of prison discipline.

If the indeterminate sentence rests upon the conviction that the reformation of the criminal is the sole object of punishment, then it must be rejected. For the reformation of the criminal, so far from being the sole object of punishment, is not even its principal object. If the view so generally entertained by prison officials, that the mass of criminals are irreclaimable, is correct, then the reformation theory founds the entire system of prison discipline upon the condition, needs, and capacities, not of the majority but of the minority of those who are by the law subject to imprisonment. The reply which will be made to this assertion, namely, that the indeterminate sentence contemplates the incapacitation of criminals who are insusceptible of reformation, and that the knowledge that society has determined either to reform or to imprison for life all who have committed any serious infraction of the law, will have a deterrent influence in the prevention of the spread of crime, is, in fact, a concession that reformation is not the sole object of imprisonment, nor even the principal object, but that the principal object of punishment is to deter men from the commission of crime, through the inspiration of fear.

There is nothing more difficult than to reconcile the dictates of justice with the suggestions of mercy. Religion is, and law should be, the minister of both. The apparent contradiction between the two is simply one illustration of the fact that truth is many-sided, and that all partial views of truth are essentially of

the nature of error. The total rejection of any one of the three theories of punishment upon which the criminal law rests, instead of indicating breadth and clearness of mental vision, evinces an imperfect and immature conception of the relations of the entire subject; and it is a mistake to suppose that the reformation theory, in its application to prisoners, involves, of necessity, any less pain and suffering on the part of the offender against law, than do either of the other two. Indeed, the formula, "reformation or incapacitation," contains in itself an element of additional severity, since it is an assertion of the right to imprison for life those who have been guilty only of minor offences, and it is questionable whether this right in fact exists, or is consistent with absolute justice.

Of the retribution theory, it may at least be said, that if it is an asssertion of the right to inflict all the pain which a particular criminal act may merit, it is the denial of the right to inflict upon any human being any needless and unmerited pain.

NOTE.—Other Papers of the Jurisprudence Department will appear in the next number of the Journal. A Paper read in the Department of Local Economy will close this number.

HEBREW CHARITIES.

BY MISS MARY M. COHEN, OF PHILADELPHIA.

(Read Friday, September 12.)

The word charity has many meanings. "Kindness," "tenderness," and "active goodness" are among them; also "liberality to the poor;" but none appeals so strongly to the soul of man as this—"universal love to human kind." The Hebrew word *Tsedakah*, signifying "righteousness," has this large sense.

Charities are Hebrew inasmuch as they are dispensed by members of the Semitic race, chiefly, but by no means exclusively, to the suffering of that race. If a motto were desired for the Hebrew Charities, none better could be chosen than "universal love to human kind."

A verse of the book of Deuteronomy lays down the Divine precept of charity: "For the needy will not cease out of the land: Therefore do I command thee, saying, Thou shalt open wide thy hand unto thy brother, to thy poor, and to thy needy, in the land."* It was thus early impressed upon the Jewish nation that charity was a positive duty; not something to be left to the chance impulses of the occasionally tender heart, but a habit of unselfishness and consideration to be cultivated. The power of charity grew with the exercise, for, as a Hebrew sage has declared (and this truth has lately been turned into current gold for the world at large by the Midas-touch of noble George Eliot),—"The reward of performing one duty is the power to fulfil another." Jewish benevolence has become a proverb. The persecution of the Middle Ages—persecution such as no other people on the face of the earth has borne—increased the responsibility of the more fortunate Jews; they saw that the nations among whom they were scattered were far from wishing to aid the homeless, poverty-stricken Hebrews, unless, indeed, the outcasts would adopt the popular religion. *Then* alms and favors would have been lavished upon them. But principle forbade this course, and the Jew therefore depended solely on his brethren for aid.

There was no class of suffering humanity that the Divine code did not recommend to compassion. The fatherless, the widow, and the stranger—most emphatically the stranger—were frequently

* Deut. xv, 2.

commended to the tender and active sympathy of their happier brethren.

Innumerable special rules were laid down for the protection of the poor. If a loan were made, the lender could not enter the house of the borrower to take his pledge; the borrower brought it into the street, and delivered it there. In a case of great need, the lender was not permitted to keep the pledge over night; before sundown it must be returned. The wages of laborers were to be paid on the very day that they were earned. Interest was not to be taken by any Hebrew from another. The practical application of these laws was generous to a degree far surpassing the letter of the text.

Among the measures designed to prevent poverty were, the law of the seven years' release, which obliged every creditor to release the loan made to his neighbor or brother;* and the institution of the Jubilee† every fiftieth year; these provisions restored money and land to those bereft of either, and with them restored that self-respect which is the highest incentive to greater exertion. They rendered impossible those extremes of poverty and wealth which give rise to the great problems of this century. And who shall estimate or express the ecstasy of the slave that, at the sound of the cornet, felt himself and his children *free!*

"So far as we can judge from the Scripture narration," says a thoughtful writer, "though there were poor in all the olden time, yet there were no *paupers*, that is, no *able-bodied* paupers supported by public charity.‡

A further instance of a law preventive of poverty was the decision of the inheritance of the daughters of Zelophehad.‖ This was brought directly before the Divine tribunal. Infinite Wisdom defended the cause of those who might otherwise, on account of their sex, have been deprived of their only means of support.

Special kindness and generosity were commanded to be shown the Levites. They were of course entitled to the tithe and to the cities set apart for them, in return for priestly service.

Loving care for the dumb brutes was taught also; they were to share the blessing of a Sabbath.

* Deut. xiv, 1-2.
† Lev. xxv, 8-12.
‡ "Social Science in the Law of Moses," by Rev. H. L. Wayland.
‖ Numbers xxvii.

The importance of *education* as a factor in diminishing poverty was not fully recognized by the Hebrews until after the first captivity, when education was made compulsory. Then schools spread abroad the incomparable light of knowledge; in the pithy words with which Deutsch translates the Talmud: "The world is saved by the breath of school-children." Then, too, mental training and manual labor grew side by side; the rabbi, doctor, teacher, was obliged also to learn some trade, so that if literary work became unprofitable, he might be saved from mendicancy by the honest toil of his hands.

The wise and humane spirit which characterized the Mosaic legislation continues to mould and inform the Hebrew Charities of to-day. In considering the present status of these charities, it may naturally be enquired:

I. What are the dimensions and amount of these charities? II. Are they extended to Hebrews only, or to all races and creeds? III. By what methods are they distributed? Are they preventive, tending to make recipients self-supporting? IV. Are they national or international?

I. The dimensions and amount of Hebrew Charities to-day assume large proportions. A recent attempt by a Jewish writer to obtain and publish statistics of these charities failed because of the vastness of material. Wherever civilization is found, there is the Hebrew charity.

Some of the most prominent organizations may be mentioned. First in rank is the Universal Israelitish Alliance, the most far-reaching of all. The Jewish Orders next. Then the United Hebrew Charities. Then—no less effective, though not as extended—Hospitals, Homes for Aged and Infirm, Foster Homes, Orphan Asylums, Charity Ball Associations, Free Burial Societies, Ladies' Aid Associations, Societies for Nursing the Sick, Loan Associations, Nurseries, Child's Protectories, Kindergartens, Free Schools, Children's Free Excursions, Sunday and Sewing Schools, Sheltering Guardian Societies, Industrial Schools. In every European city, and in almost every city of the United States, some of these are found. In London alone seventy societies exist.

Besides the public institutions are the numerous gifts by individuals, during life as well as by bequest. From time immemorial, it has been customary with Hebrews on the occurrence of

any domestic event—a birth, a marriage, an anniversary, even a death—to give liberally to the poor and afflicted. When Jewish festivals occur, the needy and the stranger are cordially invited to share the hospitality of the household.

II. These charities extend to all races and creeds. On May 14th, 1884, in Berlin, was held a conference of German Rabbis, sixty-nine of whom were from the provinces. At this conference was adopted a declaration on the interconfessional attitude of Judaism, from which the following is quoted:

"The precept of charity laid down in Lev. xix., 18,—'Thou shalt love thy neighbor as thyself, I am the Lord,'—does not apply only to brethren in race or faith, but like the precept of Righteousness in Lev. xxiv., 22,—'Ye shall have one manner of law, as well for the stranger as for one of your country,'—is to be regarded as an unrestricted command, embracing all men. Every one who manifests his humanity by the practice of righteousness and love, and by walking humbly before God, although he may have been born in another creed, is, in the judgment of Judaism, eligible for eternal salvation, according to the maxim of Rabbi Joshua: 'The righteous of all nations have a share in eternal salvation.'

These teachings are the fundamental motives of the interconfessional attitudes of Judaism. If in the extensive literature of the Jews, expressions are discovered which do not reach the height of this ideal, they are only to be regarded as the opinions of individuals, called forth by the pressure of the times, and possessing no binding virtue."

To name but a few of the Hebrew philanthropists would be to prove that this creed is borne out by deed. The benevolence of such men and women as the Montefiores, Rothschilds, Goldsmids, Jessels, Cremieux, Baron de Worms, de Hirsch, the Oppenheims, Touros, Gratzes, Michael Reese, Jacob H. Schiff, Julius Hallgarten (the munificent gift of the last including members of the colored race as recipients) knew no limit of nation or sect. A recent essay* by an able writer not identified with the Hebrew race, says, in speaking of Jews in the United States:

"The number of Hebrews among us is less than 300,000, of which about one-fourth are in the city of New York. * * * their princely charities abound in all our large cities, and according to their custom are for the most part open to all creeds. Their educational institutions are of every kind."

The heavenly gift of liberty which Hebrews enjoy in this

* "The Modern Jew: his present and future," by Anna Laurens Dawes. Reprinted from *The American Hebrew*, 1884.

country of unique and happy freedom fosters the spirit of charity, and much is also due to the unaffected good-will and sympathetic interest of the non-Israelites by whom they are surrounded. Mutual love and labor, a sense of the Fatherhood of God and the brotherhood of man, unite all souls in the everlasting tie of righteousness.

III. In order to consider the methods by which Hebrew Charities are distributed, a brief examination of the chief organizations becomes essential. But it may first be stated that, warned by the greatly impoverished condition of the poorest classes, and noting the admirable principle followed by other charities, Hebrews are striving above all things to render their charities *preventive*, that is, helping the poor before they become helpless, thus aiding them to be self-supporting.

The Universal Israelitish Alliance was founded in 1860, and will celebrate its twenty-fifth anniversary next year (1885). The seat of the society is in Paris, with branches in various parts of the world. It is supported (not as fully, however, as could be wished,) by contributions from Jewish societies and individuals throughout the globe. It aims to help and improve the condition of the Jews, especially in lands where they have been oppressed, and hence stand greatly in need of such aid.

* "It has established and supports schools in the Turkish provinces, in North Africa, in Servia, Bulgaria, and Palestine. Hopes are entertained of extending the system to Russia and Roumania. * * * These schools imply the identification of Hebrew children with the scions of the most progressive races of the age. Modern languages, modern science, handicrafts, and even agricultural labor are the departments which enlist the active interest of true friends of the oppressed. * * * The large and well-ordered schools at Tunis have sensibly contributed to the social and political improvement of the Jewish population. * * * In Palestine the modest beginnings, including the Jaffa Agricultural School, promise rich fruition. * * * So highly are the schools appreciated at Constantinople that the Sultan has conferred public honors on the representatives of the Alliance at the capital, as well as at Smyrna, and Bagdad."

A recent writer in the London *Jewish Chronicle* describes the Jews in Cochin as miserably poor; perhaps in time the Alliance may be able to uplift these impoverished ones into a higher existence.

* See Report of Board of Delegates on Civil and Religious Rights, 1884: *Jewish Messenger*, July 18th.

There are four Jewish Orders in the United States; their objects the moral, social and intellectual advancement of Israelites, as well as the promotion of all benevolent undertakings; the payment of pecuniary benefits to members in case of sickness, and in case of death endowments of $1,000 to their families. These Orders are:—The Independent Order Benai Berith, the Independent Order Free Sons of Israel, the Order Kesher Shel Barzel, and the Improved Order Free Sons of Israel. There are several female Orders attached, and others, independent.*

The Benai Berith (Sons of the Covenant), for the five years ending December, 1878, paid for sick and endowment benefits $1,007,039.54.

Kesher Shel Barzel (The Band of Iron) paid in 1878, for similar purposes, $129,803.23.

Improved Order Free Sons of Israel, in 1879, paid $39,038.88.

A vast amount of assistance is thus given, just when and where it is most needed. Some of the leading minds, however, among the several Orders are in favor of consolidation into one. Mr. Simon Wolf, of Washington, Chairman of the Executive Committee of the third Order, in his recent report, says: "Let the organization embrace all Israel, of all ages and opinions; let us, in short, have an American Alliance, similar to the Universal, and yet embracing subjects wholly different and distinct. Let Education be one object. Let Benevolence and Charity, including asylums, homes and hospitals, be another. Let Endowment (if necessary) be still another. Let Religious and Civil Rights be another."

The United Hebrew Charities had its rise in Philadelphia, and tells its own story thus:

"Fourteen years ago an experiment was tried in Philadelphia in amalgamating a number of Hebrew Charities, and its failure was predicted. * * * Two prominent reasons were given; one was that such a society would surely die for want of support; for people would not contribute as much to one as they had been accustomed to give to six; the other, that even if life should flicker in a sickly way in such an organization, the work that had been done by six could not be performed by one. * * * It must be admitted that a trial for fourteen years is a fair test. The union did not die, nor lead a sickly existence, but took a firm

* See "Statistics of the Jews of the United States," compiled by Wm. B. Hackenburg, under authority of Board of Delegates, etc., Philadelphia, 1880.

hold at once upon the affections and sober judgment of the Israelites in this city. Its revenues have been larger than all of the six combined. Its work has been more thorough and systematic than six or sixty of the former societies without a bond of connection, and invariably working at cross-purposes. It has prevented begging from house to house, where with lying tales the worthless imposed upon the kind-hearted of our people. * * * The society has given with a liberal hand to the poor, and cared for the sick; has sheltered the homeless, and buried the dead; it has brought to bear its forces and the power of the law to protect the oppressed against his oppressor; it has in many cases lifted up the lowly from degradation to self-reliance and self-respect; and some of those who were supported by it now not only earn their own livelihood, but also contribute from their means to sustain this charity * * * It was the first in this country that demonstrated the great forces of union; and its plan and system have been copied and followed in many of the leading cities of the United States."*

The Board of Government is aided by a Ladies' Associate Committee; each member works in an appointed district, and makes full reports of cases to the Board; exeept in instances of pressing need, relief is not granted until the report is received.

The temperance of the Hebrews is a power in decreasing poverty. Insobriety is rarely, if ever, found among them.

The United Hebrew Charities of New York City, and the Hebrew Education Society of Philadelphia, (the latter founded by Judah Touro), have started Industrial Schools. There is no doubt that the industrial feature will lead in all the charities of the future. It must be of supreme benefit to the whole community as well as to the race shut out for centuries from every pursuit but commeree. In this country the work of edueating poor children by means of kindergartens and industrial schools has received a strong impetus from the efforts of Dr. Felix Adler of New York. The Young Men's Hebrew Association of that city, though hardly coming under the title "charitable," yet has extended its educational work to the poor Russian Jewish emigrants; the gifted Emma Lazarus also bestows time and energy on the task of lifting the suffering and ignorant into a happier state.

IV. Hebrew Charities are international. This has been clearly shown in the nineteenth century. One man—the now venerable Sir Moses Montefiore—has led thousands in the direction of unlimited philanthropy. Men like Cremieux, Lowe, Laurence Oli-

* Annual report of U. H. C., Philadelphia, 1884.

phant, have undoubtedly had their sympathies enlarged and their powers strengthened by his influence. In 1840, when Damascus Jews were tortured and imprisoned on the false charge of using human blood at their Passover service, Montefiore, accompanied by friends, went to Egypt, and, interceding for the Jews at the throne of the Viceroy, obtained their immediate release. In 1846, when the late Emperor Nicholas of Russia enacted most cruel laws against his Hebrew subjects, Montefiore personally requested the Emperor not to execute those measures. In 1859, when the Mortara child was taken from his parents, Montefiore visited Rome, and entreated Antonelli to restore the child. When, in 1861, the Morocco Jews and Christians were suffering heart-rending persecutions, it was again Montefiore who obtained a charter of protection for them from the reigning Sultan. This large-hearted man has also sought the welfare of his Jerusalem brethren, giving them means wherewith to erect schools, and personally urging them to become interested in agriculture.

In 1882, Russian persecution forced many Jews of that country to emigrate to more hospitable lands. Then not the Hebrew heart alone melted with compassion, but all humanity cried aloud. Then cities and countries made solemn protest against these cruelties, and demanded redress. The Czar, threatened alike, though for different reasons, by the upper and the lower classes of his people, has remained supine. The London Mansion House fund and various other funds, here and abroad, have been formed to aid the oppressed to depart from Russia to lands of liberty. Many of the persecuted have colonized in Palestine, Canada, and America. The Hebrew Emigrant Aid Society of New York planted the "Alliance Colony" in New Jersey. Of the seventy families settled, fifty remain. Each family tills its own piece of ground. In the cigar factory established there, skilful workmen earn six dollars a week, and still keep their farms in order. The people are very industrious, intelligent, sober, and moral. The system has made many of the colonists self-respecting men and women.*

An event approaches which will draw universal attention to the international character of Hebrew charities. On the 26th day of October will be celebrated the hundredth birthday of the great Hebrew philanthropist, Sir Moses Montefiore. The four seasons

* See Letter from Cyrus Adler to Philadelphia *Public Ledger*, August 1st, 1884.

of life have shed their glories upon him. The crown of winter encircles his brow, but the youth of spring is still in his soul; autumn gently whispers of rest, but the genial warmth of summer throbs yet within his heart. All peoples arise to do him honor. All bless the "God of the spirits of all flesh" who has permitted his servant for a hundred years to rejoice and benefit humanity.

"Life hath he asked of Thee, Thou gavest it to him,
Length of days for ever and ever." — Psalm xxi, 5.

Greetings of peace to thee, oh venerated sage,
We gladly sing,
And glowing praises of thy ripe and noble age
With joy we bring,
Offering our hearts' pure tribute, joined with earnest prayer,
That the Divine Protector keep thee in His care.

Thou didst beseech thy God for long and uséful days,
As did the king
Of whom the Psalmist wrote in his immortal lays;
So wilt thou cling
More closely still unto the Everlasting Arms
Which held and shielded thee midst perilous alarms.

Eventful hours have swept above thy gracious head,
But thou wert strong!
The furious storms of hatred plunged thy race in dread,
Yet no real wrong
Went unredressed by thy courageous, rescuing hand,
Oppressors raised the yoke before thy mild command.

One voice of grateful millions comes from land and sea,
To bless thy name!
To countless Israel may its fragrance ever be
Of priceless fame:
With Israel's God may be thy last, sweet, full repose,
And on His glory may thy heavenly eyes unclose!

AMERICAN SOCIAL SCIENCE ASSOCIATION.

CONSTITUTION,

LIST OF OFFICERS, COMMITTEES AND MEMBERS,

1884–5.

BOSTON, DECEMBER 1, 1885.

THE AMERICAN SOCIAL SCIENCE ASSOCIATION

Was organized in October, 1865, at a public meeting in Boston, at which the late Governor ANDREW presided. Its Presidents have been Prof. W. B. ROGERS, SAMUEL ELIOT, GEORGE WILLIAM CURTIS, President WOOLSEY, DAVID A. WELLS, President GILMAN, of Baltimore, Professor WAYLAND, of Yale, and General EATON, of the U. S. Bureau of Education, who now fills the office; its Secretaries, SAMUEL ELIOT, HENRY VILLARD, and F. B. SANBORN. It now has members in nearly all sections of the United States, numbering in all between 300 and 400.

Its object, stated briefly, is to encourage the study of the various relations, social and political, of man in modern life; to facilitate personal intercourse and the interchange of ideas between individuals interested in promoting educational, financial, sanitary, charitable, and other social reforms and progress; and promptly to make known to the public all theoretical or practical results which may flow from such studies or investigations. To some extent these ends have been successfully attained, by the organization and growth of the Association, and the periodical public meetings of the members, with the accompanying reading of papers and discussions.

Our income has hitherto been sufficient to meet our expenses; but it has been necessary to rely upon sources which may be called extraordinary. The Association has no funded property; its *regular* income is composed mainly of annual payments from members, which amount to less than $1,600 *per annum*. The cost of publishing two numbers of the Journal (about 400 pages, 8vo.) is $700; the salary of Secretary, expense of annual meetings and incidentals, $800 more, in round numbers, or a total of $1,500. It is thought that the time is come when we may confidently appeal to the general interest felt in Social Science throughout the country, for the purpose of establishing our finances upon a solid basis, by enlarging our list of members to 500 or 1,000. It is believed that an institution supported in this way, and relying on a wide-spread popular feeling of interest, will not only stand firmer, but will accomplish its educational object far better than if (as hitherto), supported by a few subscribers. In order to avoid misapprehension and prejudice, it may be stated that while the Association welcomes all new ideas, and encourages the greatest freedom of intelligent expression and debate, it does not hold itself responsible for the opinions of its individual members.

Membership is obtained by the annual payment of five dollars. This confers the right to take part in business meetings of the Association, and to vote in election of officers, and entitles one to receive its publications free of expense. The publications consist chiefly of the "Journal of Social Science," which includes the results of the work of the Association, more especially the proceedings and papers of the General Meetings.

It would seem that the desired increase in membership ought to be easily obtained; and the Council believe that it can be, if those who read this will become members, and aid in interesting others.

Publications can be obtained and information had by addressing F. B. SANBORN, Concord, Mass., or the Publishers for the Association, A. WILLIAMS & Co., Boston, and G. P. PUTNAM'S SONS, New York.

CONSTITUTION.

[It will be seen that under the Constitution, as here printed, a new organization of the officers of the Association has been made,—what was formerly called the Executive Committee, being now the Council.]

The Constitution, as amended January 14, 1880, is as follows:

I. This Society shall be called the AMERICAN SOCIAL SCIENCE ASSOCIATION.

II. Its objects shall be classified in five departments: the first, of Education; the second, of Health; the third, of Trade and Finance; the fourth, of Social Economy; the fifth, of Jurisprudence.

III. It shall be administered by a President, as many honorary Vice-Presidents as may be chosen, a Treasurer, a Secretary, and a Council, charged with general supervision; five Department Committees, established by the Council, charged with the supervision of their respective departments; and such Local Committees as may be established by the Council at different points, to serve as branch associations. The Council shall consist of the President, Treasurer, and Secretary, the Chairman and Secretary of each Department, and ten Directors, with power to fill vacancies and to make their own By-Laws. The President, Vice-Presidents, Treasurer, Chairman, and Secretaries of Departments, and Directors, shall be chosen annually by members of the Association, and shall hold office till their successors are chosen. The President, or in his absence, a Director, shall be Chairman of the Council. The Chairman of the Local Committees shall be chosen at the pleasure of their respective committees. Whenever a Branch Association shall be organized and recognized as such by the Council, its President shall be *ex-officio* one of the Vice-Presidents of the American Association, and, together with the Secretary and Treasurer, shall be entitled to all the privileges of membership in that Association. And whenever a Local Department shall be organized and recognized as such by the Council, its chairman shall become *ex-officio* a member of the parent Association. The Chairman and Secretary of each Department, with the consent of the President of the Association, may appoint such special Department Committees as they may think best. The General Secretary shall be elected for three years, unless he resigns, or is removed by a two-thirds vote of the members present and voting in a regular meeting of the Council; and out of his compensation he may pay the salary of an Assistant Secretary, who may also be Secretary of one Department.

IV. Any person may become a member by paying five dollars, and may continue a member by paying annually such further sum as may be fixed at the Annual Meeting, not exceeding ten dollars. On payment of one hundred dollars, any person may become a life-member, exempt from assessments. Honorary and corresponding members may be elected, and exempted from the payment of assessments.

V. The Council shall have sole power to call and conduct General Meetings, and to publish the Transactions and other documents of the Association. The Department Committee shall have power to call and conduct Department Meetings.

VI. No amendment of this Constitution shall be made, except at an annual meeting, with public notice of the proposed amendment.

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1884–1885.

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AMERICAN SOCIAL SCIENCE ASSOCIATION.

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F. B. SANBORN, *Secretary*,

CONCORD, MASS.

JOURNAL

OF

SOCIAL SCIENCE,

CONTAINING THE

TRANSACTIONS OF THE AMERICAN ASSOCIATION.

NUMBER XX.

JUNE, 1885.

SARATOGA PAPERS OF 1884.

PART II.

PUBLISHED FOR THE

AMERICAN SOCIAL SCIENCE ASSOCIATION,

BY CUPPLES, UPHAM & CO., BOSTON, AND G. P. PUTNAM'S SONS,
NEW YORK.

1885.

EDITED BY

F. B. SANBORN,

GENERAL SECRETARY OF THE ASSOCIATION

CONCORD, MASSACHUSETTS.

TOLMAN & WHITE,
Printers for the American Social Science Association,
383 *Washington Street, Boston.*

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PREFACE.

The Papers included in this number of the *Journal of Social Science* are less than half of the Saratoga Papers of 1884. As some misapprehension may exist in regard to the publication of Papers by the Association, it may here be said that all Papers, engaged for the General Meeting of the American Social Science Association, are so engaged with the understanding that they may be printed in the *Journal of Social Science*, if the Council so decide; if, therefore, the writers choose to publish their Papers elsewhere, (to which the Council offers no objection), it must be with the stipulation that these Papers may also be published in the *Journal*, at the option of the Council as to the time of publication. Several of the Papers read at the last General Meeting have been omitted from the *Journal* No. XIX and the present Number, at the request of the authors or for other reasons.

Erratum. — The date of the reading of Dr. Harris's Address, and Mrs. Talbot's Report, was September 9, 1884, and not September 4 as printed.

I. PAPERS OF THE EDUCATION DEPARTMENT.

I. ON THE FUNCTION OF THE STUDY OF LATIN AND GREEK IN EDUCATION.

AN ADDRESS BY PROF. W. T. HARRIS, CHAIRMAN OF THE DEPARTMENT OF EDUCATION.

(Read Tuesday, September 4, 1884.)

All modern Christian nations make a study of Latin and Greek occupy the essential place in the course of study prescribed for a thorough education. Yet these are dead languages, so-called. They are no longer spoken by any people, and they are not used to any extent as a written language. Such a state of facts is calculated to arouse question and protest. Why should so much time be occupied in learning languages that are not to be used in writing or speaking?

When we ask how this happens, we are told that the study of language is the study of human nature, and that the Latin and Greek are the two most perfect tongues known to the world. Hence they form the best subjects to study for discipline, and for training in exact thought. Moreover, these languages exert a refining influence on those who study them.

Such reasons as are based on the "discipline," "exactness of thought," or "refining influence," supposed to be derived from their study, are somewhat vague, and need explication. So, likewise, the assertion that they are "perfect" languages.

Upon inquiry, we find that the Latin and Greek languages are spoken of by some as being "perfect," in the sense that they are complete as regards further growth, or by others as regards etymological inflections;—or, again, as regards syntactical organism; or, finally, as regards capacity for expression, whether artistic, scientific, or historical. This designation of "perfect" does not seem to recommend itself as a substantial reason for the prominent place that Latin and Greek hold in education. In the first sense intended — that they are complete as regards growth — that they are "dead" languages, — they would have no advantages over the Anglo-Saxon, the old Norse, the Zend, the Sanscrit, or any

other dead language. Nor is it obvious at first glance why such completeness is an advantage. Why should we not study a living, organic growth wherein we can trace a process actually going on? Laws are manifested and revealed to us only in the actual changes which transpire within a process and not in its dead results. Again, if inflections are considered, what thoughtful man will assert that inflections are a mark of perfection? Is the Sanscrit more perfect than the Latin, because it inflects twice as much as the latter language? Does not maturity of spiritual development rather do away with inflections? Could the syntax of Greek and Latin do any more wonderful things than the syntax of Milton and Shakespeare? Could the language of Cicero express what that of Burke could not? Could the language of Plato and Aristotle express what Hegel and Schelling found German inadequate to express? It is doubtful if any of these questions could be answered in such a way as to defend Latin and Greek on the ground of perfection over all other languages.

A far better ground is urged for classical study by English speaking peoples in the fact that it furnishes the root words to that part of our vocabulary which is more especially the language of thought and reflection, while the Teutonic or Gothic ground-work is the language of sensuous experience and of common life. Hence it happens that even a little study of Latin makes a great difference in the grasp of the mind as regards generalization and principles. Without Latin, the trope and metaphor underlying the abstract terms necessary to express all elevated sentiment or thought in English, and, more specifically, all scientific results, whether moral, legal, spiritual or natural—is not perceived or felt. Such trope and metaphor is the basis of abstract terms, and hence the latter have been called "fossil poetry." To gain command of the resources of a language, one must revivify this poetic element, must acquire an ability to feel the trope and metaphor which it contains.

This argument for the study of Latin by English-speaking peoples holds good, in a greater or less degree, for the Romanic nations of modern times. But it is not so convincing when applied to the Germanic, Norse, and Sclavonic peoples. It is when we come to look at the study of Latin and Greek, in its relation to all European culture, that we find a more satisfactory reason, and begin to see its truer and deeper psychological bearing.

The general principle which determines insight-giving studies is this; they must be of such a kind that they lead the individual out of his immediate and familiar surroundings, and cause him to breathe the atmosphere and become familiar with the accessory conditions of an earlier historical stage of the people from whom he derives his culture and forms of civilization. Each stage of civilization is a product of two factors; one factor being the antecedent stage of civilization, and the other factor being the new social force which modifies the former. Every stage of civilization goes down into succeeding ones in human history as a silent factor, still exercising a modifying influence upon them, but in an ever-weakening degree.

The education of the child, therefore, takes him out of his immediate atmosphere of feeling and desire, and bathes him in the rare atmosphere of the early infancy of his race. The nursery tales that greet his dawning consciousness — and later the fairy stories and mythological material that delight his youth are simply the transfigured history of the deeds of his race.

With the education of the school, begins the serious appropriation of the classics of his people, wherein he becomes by degrees conscious of the elements of his complex being. He finds one after the other the threads that compose his civilization; threads that weave the tissue of his own nature as a product of civilization. The Chinese youth reads Confucius and Mencius and sees the universal type and model on which the Chinese world of to-day is formed. The Hindoo child listens to the stories of the Hitopadesa, and learns the Vedas and Paranas, and becomes conscious of the ideal principles of his caste-system. The young Turk reads the Koran, and learns to recognize the ordinances which direct and control the life of his fellow-men.

It will be acknowledged without dispute, that modern civilization is derivative, resting upon the ancient Roman civilization on the one hand, and on the Greek civilization on the other. All European civilization borrows from these two sources. To the Greek we owe the elementary standards of æsthetic art and literature. They have transmitted to us the so-called perfect forms. All culture, all taste, bases itself upon familiarity with Greek models. More than this, the flesh and blood of literature, the means of its expression, the vehicles in which elevated sentiment and ideal convictions are conveyed, largely consist of trope and

metaphor derived from Greek mythology. Before science and the forms of reflection existed, the first method of seizing and expressing spiritual facts consisted of poetic metaphor and personification. Images of sense were taken in a double meaning; a material and a spiritual meaning in inseparable union. We, and all European nations, — even the ancient Romans, — are indebted to Greek genius for this elementary form of seizing and expressing the subtle, invisible forms of our common spiritual self-hood. One can never be at home in the realms of literature without an acquaintance with this original production of the Greek people.

More than this, the Greek people, essentially a theoretically inclined race, advanced themselves historically from this poetic personification of nature towards a more definite abstract seizing of the same in scientific forms. With the Greek race, theoretical reflection is also indigenous. The Greek language is specially adapted to this function, and in the time of the historical culmination of the Greek race, appeared the philosophical thinkers who classified and formulated the great fundamental divisions of the two worlds, — man and nature. All subsequent science among European peoples has followed in the wake of Greek science; availing itself of Greek insights and piously using the very technical designations invented by the Greek mind for the expression of those insights.

The theoretical survey of the world in its two phases of development, æsthetical or literary, and reflective or scientific, is therefore Greek in its genesis; and a clear consciousness of the details as well as of the entire scope of that side of our activity, requires the use of the elementary facts that belong to the genesis or history of its development. A knowledge of Greek life and literature is a knowledge of the embryonic forms of this great and important factor in modern and all future civilization.

The Roman contribution to modern civilization is widely different from that of the Greeks. Instead of æsthetic or theoretic contemplation, the Roman chooses the forms of the activity of the will for his field of view. He has seen the mode and manner in which man must limit his practical activity in order to be free. He must act in such a manner as not to lame and paralyze his own activity, nor mar the products of the activity of his neighbors. Let each one act so that his deed will not be self-destructive if adopted by all men. This is the Kantian formula for free moral

activity. Man is placed in this world as a race and is not complete as a single individual. Each individual is a fragment of the race, and his solution of the problem of life is to be found in the proper combination with his fellow-men so as to avail himself of their help, theoretical and practical. Theoretically, they will help by giving him the results of their experience in life; their pains and pleasures, their mistakes and successes; the theoretical inventory which they have taken of the world in its infinite details, and the principles they have discovered as the units which reduce those details to a system. Without this combination with his fellows, he remains an outcast, a mere embryonic possibility of man. How important, then, it seems to us, is this invention of the civil forms which make possible this combination and cöoperation.

Other peoples, before the Romans and contemporary with them, may lay claim to this invention of the civil code. But their claims cannot be sustained. Moral and ethical forms in sufficiency they have; but the civil form which gives and secures to the individual the circle wherein he shall exercise supremely his free will, and beyond the limits of which he shall submerge his individuality utterly in that of the State, the supreme civil institution — such a civil form elaborated into a complete code of written laws, we do not find elsewhere. It is, moreover, a settled fact in history, that modern nations have received their jurisprudence from the Roman peoples, modifying the same, more or less, to accommodate it to the developed spirit of the Christian religion.

It is essential for a correct view of this subject to consider carefully the nature of the forms of expression which must be used in order to define the limits of the free will. The code which expresses such limits must deal with prohibitions only, in so far as it defines crime. But it must furnish positive forms in which all agreements and contracts are to be defined. The full exercise of free will within the sphere allotted to the individual, is accomplished only by means of the institution of property. The complete idea of property implies the possibility of its alienation or transference to others. Contract is the form in which two or more wills combine, constituting a higher will. The Roman law furnishes the varied forms in which this higher will, essentially an incorporate will, is realized. This is the most important contribution of Rome to the civilization of the world. So important is contract to the Roman mind that it deifies soulless abstractions, seeing in them

incorporate powers. The State is its Jupiter, its Mars, its Juno, its Venus. The word *Religio* etymologically expresses the highest spiritual relation, as conceived by the Roman. He makes a vow, proposes a contract to his gods, and the gift of the god being obtained, he will faithfully fulfil his vow.

The Roman people possess, as individuals, a double consciousness, a limitation within the self, the self as supremely free within the circle of its property, the self as utterly submerged in a higher will, [that of the State], beyond its personal limit. All modern civilization, rooting as it does in Rome, which had conquered the whole world, receives as its heritage this double consciousness, and can never lapse back into the naive, childish consciousness of pre-Roman civilization. Just as the technical terms and expressions, the very categories in which literary and art forms, or philosophical and scientific forms are possible, are derived from a Greek source, so too, on the other hand, these most important civil forms of contract and incorporation and criminal definition are borrowed from Rome, and were originally expressed in Latin. Latin derivatives, in most of the European languages, still contain and define these distinctions.

To study Latin, just the mere language and its grammar, is to study the revelation of this Roman spirit in its most intimate and characteristic form. Language is the clothing of the invisible spiritual self of the people—a revelation of its primary attitude towards the universe. A study of the literature, politics, history, religion and law making of the Roman people is a still further initiation into the mysteries of this phase of modern civilization.

Comparative philology and sociology owe to society the duty of investigating the Greek and Latin languages with a view to discover the grammatical and logical adaptation of those languages to express the fundamental point of view of those peoples, the one theoretical, and the other practical, and also to ascertain how it is that they stimulate, by reaction upon the minds of those using those languages, the original, theoretical or practical tendency. The modern youth, by common consent in all modern civilized countries, is trained upon Latin and Greek as especial discipline studies. Little or no mention is made of the rationale of this process to the pupil. Very little is done to point out the relation between the facts obtained within the sphere of classic literature, and the modern facts which surround him. Nevertheless, these ancient facts concern, in one way or another, the genesis of the

modern facts, and all effective activity of the student's mind goes to the construction of bridges of relation from the one to the other. Merely by thinking the modern facts of our civilization through the prisms of the ancient facts, the classically educated man is able to decompose the compound rays united in the modern. All unconscious that the classical material of his education performs the function of a decomposing prism, or that the ancient facts are embryonic stages of the modern facts, the student finds that he has practical possession of a superior power of analysis and generalization, and that he is able to fix his attention upon a single strand of modern civilization, its political and legal forms, or its theoretical and its æsthetical, and use the same theoretically or practically. His facility is a real possession of the highest practical value, but he may not have any true theory of its existence or its origin. He may call it a college "fetich."

It is the subtlest and least observed or most rarely formulated expression of the spirit of the Greek and Roman peoples, namely, its impression upon the grammatical forms and categorical terms of their languages, that exercises the surest and most powerful effect on the classical student.

One may say that of a hundred boys, fifty of whom had studied Latin for a period of six months, while the other fifty had never studied Latin at all, the fifty with the smattering of Latin would possess some slight impulse towards analyzing the legal and political view of human life, and surpass the other fifty in this direction. Placed on a distant frontier, with the task of building a new civilization, the fifty with the smattering of Latin would furnish law makers and political rulers, legislators, and builders of the state.

In the same way, a smattering of Greek, through the subtle effect of the vocabulary and forms of Greek grammar, would give some slight impulse, not otherwise obtained, towards theoretical or æsthetical contemplation of the world. On the highest mountain ridge a pebble thrown into a rill may divide the tiny stream so that one portion of it shall descend a water shed and finally reach the Pacific ocean, while the other portion, following its course, shall reach the Atlantic ocean. It requires only a small impulse to direct the attention of the immature mind of youth in any given direction. A direction once given, subsequent activity of the mind follows it as the line of least resistance, and

it soon becomes a great power, or even what we may call a faculty. Certainly, it follows that the busying of the mind of youth with one form or phase of Roman life will give it some impulse towards directing its view to the forms of the law. Or, the occupation with the Greek language and life, will communicate an impulse towards literary and philosophical views of the world.

But Latin and Greek ought not to be advocated as a substitute for English literature, science, or mathematics. Each topic gives something to the mind; each one omits something.

The one who arranges the course of study must carefully ascertain the educational value of each branch of learning, and fix the proportion accordingly. The classical studies help to give perspective to the mind. They enable the pupil to become conscious of the separate tendencies that enter his life.

In the concrete world into which we are born, there are complex relations — an infinite manifold of historic tendencies and influences have mingled. The present life is like a web of cloth into whose texture are woven threads of the most diverse description and origin forming its warp and woof.

We are powerless to discriminate the elements which form our present life, because they are so complicated and blend into so close a unity.

If, however, we can leave the study of this complex result, and find an opportunity to investigate its elements in a separate form, and become familiar with their appearance by themselves, we shall acquire the capacity to recognize them when united in the life of the present.

Analysis must precede synthesis in conscious or scientific knowledge. In primitive or first knowing, there is little consciousness — a mere life of feeling. Cultivation of the intellect begins by analysis and follows with synthesis.

Thus, it is, that Latin and Greek are retained as most important studies in higher education. Latin and Greek are the languages of the two peoples that hinge European civilization to Asiatic civilization. The spirit of Asia — the Oriental world — is not in favor of the individuality of man — neither in religion, nor politics, nor art, nor science. There is an all-devouring primordial unity as deity (Brahm), which lacks the attributes of consciousness itself, and is hostile to any and all forms of human individuality. There is only despotism or irresponsible rule in the states of Asia;

only intellectual subordination in the Asiatic mind, and only the portrayal of such subordination in Oriental art and literature.

Greece and Rome form the entrance to the western civilization which unfolds individuality, and regards the human attributes as essentially divine and substantial.

The Greek mind, under the purpose of Providence, develops and expresses free intellectual insight under the form of science, and symbolizes freedom in all forms of art—gracefulness being the appearance of freedom in material guise.

The Greek has had this function so wholly to itself, that it is the source from whence the forms of theoretical insight are borrowed by all modern European peoples. Its sculpture, architecture, poetry (epic, dramatic, lyric), eloquence, history, and the like, have furnished models for the modern world. If we have departed from those models in our highest reaches in literary art or science, it is rather by additions to the Greek original than by new foundations.

The Greek mind furnishes us a sharp contrast to Asiatic absolutism and debasement of individuality. We feel at home with the Greeks when we come to them from a sojourn among Oriental nations.

What Greece has done for theoretic and art development of civilization, the Roman has done for political forms and usages. It is the law-making consciousness of the world. It emerges from Asiatic absolutism and irresponsible power, and defines rights and duties, and sets up these definitions as conscious standards which shall limit alike the governed and the governing. In the course of time the distinction of the law from the men who administer it, becomes so clear that constitutional forms are written out and acknowledged, and the people become so free that the obvious purpose of the state is declared to be the security of the people in a rational exercise of their individual powers. "Life, liberty and the pursuit of happiness" on the part of the individual subjects require laws and definitions, and for this, government is caused to exist, and all the machinery of legislative, judiciary and executive departments organized and perpetuated. The personal element of the government has been entirely concealed, and those who act in the government are governed by written laws like all their fellow-citizens.

Roman history is the history of the transmutation of rude violence—robber life—into mutual recognition of rights explicitly

stated and defined. The deeds of the human will have been the sole object of consideration through ages, and discrimination has been reached in regard to the effects of human actions — what can be done without injury to others, and what can not be done, has been slowly but surely discerned. The individual shall act so that his action may not collide with those of his fellow-men, and each action annul the other — but it shall take such a form that it reinforces the rational actions of his fellow-men. When the forms of reasonable action are discovered and defined, institutions become possible. "Institution" is a Latin word, and describes a spiritual existence created by the Roman mind. It is a spiritual combination of man with his fellow-men — just as a steam-engine or a mill is a material combination.

All modern State forms, municipal governments, corporations, public or private; all forms of justice, are based on the Roman contribution to civilization, and they are expressed in Latin words for the most part in all modern languages.

The study of Latin and Greek is a species of self-alienation, or estrangement, therefore, which familiarizes the mind with essential elements that enter modern civilized life — it familiarizes the mind with these elements in their early and independent forms, as they existed in history in their first origination and before they mingled and lost their separate significance. Familiarity with those elements in their early and isolated existence gives one power to recognize them in modern life.

Analytic power of mind which cannot recognize and trace out connectedly these great essential threads of social life, is not of much strength or value. It is not able to discriminate practically nor understand and decide on practical questions. It is hopelessly lost when one of the threads it is trying to see disappears under the meshes of other threads and comes up under some superficial change. It is the essential relation which Greece and Rome have to Modern civilization that makes the study of their spirit so important in modern education.

A study of Arabic or Sanscrit or Chinese, would have far more self-alienation or estrangement in it, but it would have no return to our modern life; it would furnish no keys to our situation — for Chinese and Arabian and East Indian life has not developed into our own but is an arrested development halting on the other side of the two great emancipations performed for us by Greece and Rome.

It happens that a very little study of Latin has an influence to put the mind into an attitude of observation of the activity of the will-power. The genius that formed the Latin language has everywhere impressed itself upon that language so that an acquaintance with its mode of expression habituates the mind to contemplating will-forms rather than intellect-forms; it is practical, rather than theoretic; it lacks the pronominal development in the form of the article, and suppresses the demonstrative method of defining which belongs to theoretic peoples. The Greek, on the other hand, has the perfection of pronominal development in the direction of the article, or demonstrative, and its use favors theoretical habits of mind. An infant of a few days or weeks old is made by its parent to hold the rattle-box in its right hand. After a few corrections, it becomes a second nature to grasp and hold things in its right hand. A very slight impulse at the beginning, makes a change in the entire body. For the right hand and arm grows much stronger and more skilful than the left. Finally, one hemisphere of the brain grows larger than the other, and one lung develops more than the other; each of the five senses develops one of its pair of organs, so that one side is the special organ of voluntary attention.

So a very slight impulse, derived from a few months study of the grammar and vocabulary of the Latin or Greek language, results in forming a habit of looking at essential forms which enter modern life, either on the side of the will or of the intellect, and the individual's view of the world is fixed for his whole life. His capacity to see and clearly define these forms, and to recognize their essential nature under protean shapes grows with his growth and strengthens with his strength.

If the few in a new community happen to have a mere smattering of Latin and the others of the community have none whatever, the business of expressing and administering the forms that relate to the combination of men into institutions will fall to those few. It makes little difference whether they have read Latin literature, and still less difference whether they have heard lectures on Roman institutions, or read about them. Six months' study of the Latin language does more to develop a habit of the mind to view will-forms than many years of mere study of Roman history or of Roman customs.

Thus, for ages, the mind of youth has been trained in the

schools on the two "dead" languages, Latin and Greek. For the evolution of the civilization, in which we live and move and have our being, issued through Greece and Rome on its way to us. We kindled the torches of our institutions — of the watch-fires of our civilization — at their sacred flames. The organism of the State, the invention of the forms in which man may live in a civil community and enjoy municipal and personal rights; these trace their descent in a direct line from Rome, and were indigenous to the people who spoke Latin. In our civil and political forms, we live Roman life to-day. That side or phase of the complex organism of modern civilization is Roman. Our scientific and æsthetic forms come from beyond Rome; they speak the language of their Greek home to this very day, just as much as jurisprudence and legislation pronounce their edicts in Roman words.

To assimilate this antecedent stage of existence, therefore, it is not sufficient to form an acquaintance with it by reading its history or literature in translations. The thorough assimilation of it in consciousness demands such an immediate contact with it as one gets by learning the languages of these people — the clothing of their inmost spiritual selves. We must don the garb in which they thought and spoke, in order fully to realize in ourselves these embryonic stages of our civilization.

If we now inquire what the substitution of a modern language — say German or French — for Latin or Greek would effect, the answer is clear that a modern language stands to English in the relation of co-ordination and not in any sense in that of presupposition. As immediate facts, German and French stand in need of explanation through evolution, just as much as the English does. Their civilizations are not embryonic stages of the English civilization, but derivative forms from the same source.

No one modern language is an embryonic type of another, nor does it present in its literature the embryonic form of the civilization of another people, even though it may be an "arrested development" of some type of civilization. To study the embryology of the butterfly, we must begin with the caterpillar, and not with the mosquito. So to understand the frog, we must study the tadpole and not the toad.

Schopenhauer says, that "A man who does not understand Latin, is like one who walks through a beautiful region in a fog;

his horizon is very close to him. He sees only the nearest things clearly, and a few steps away from him, the outlines of everything becomes indistinct or wholly lost. But the horizon of the Latin scholar extends far and wide through the centuries of modern history, the middle ages and antiquity."

In conclusion, let me formulate: The vocabulary of a language gives a person, to the extent he understands it, the view of the world attained by its race or people.

The vocabularies and syntax of the Latin and Greek languages give to the people of Europe and America, an insight into the embryonic part of their civilization, and help them to understand themselves, and to analyze the forms and usages of their intellectual and moral being.

"Know thyself," means, know the general forms and conditions which you must live in your life, unless you will fail to live well. To the self-knowledge of Americans and Europeans, then, some study of Latin and Greek is essential, and the most productive of all higher studies in directive power and practical ability to understand and deal with one's time and situation. As a practical matter for the people of Asia and Africa, a knowledge of Latin and Greek is also necessary if they are to make a thorough study of the character of the conquering nations of modern times.

II. REPORT OF THE SECRETARY, MRS. EMILY TALBOT, OF BOSTON.

(Read Tuesday, September 4, 1884.)

Never have the educational forces of the world been so active, aggressive and progressive as during the last few years. The old methods of dependence upon authority, of following precedents, of looking to the past for light and knowledge, have given way to the new methods of inquiring, examining, inventing, proving; searching for "short cuts" to practical knowledge, so that the individual may lose no time in getting into the full tide of work to be done. Within the memory of each one of us, to carry life and light to the heathen meant to bear the cross of personal consecration and the Gospel as taught by Jesus Christ. Today, this work means not only that, but it includes the miracle-working powers of steam and electricity; it means the creation of new wants, that new industries may creep in; it embraces the penetrating and enlightening power of the press; all these forces now conjoin to educate the world out of barbarism into a higher life. The rise and progress of one or another method of instruction, the supposed results of routine work in school or college, deeply concern the practical educator. The student of social science seeks to ascertain what the public are thinking, and how that thought is applied to the best interests of the race. A recent writer says; "Humanity wants to know how to keep itself alive, and well, and doing well; it wants brought up for consideration, the wrongs which oppress it, the evils which defile it, the crimes which degrade it; to have these causes investigated, and their remedies suggested." Among the interesting subjects connected with recent educational work, this paper will treat only of those which seem to reflect most truly the spirit of the present, or which promise to give an impetus to the civilization of the future.

School Savings Banks.

Some of the greatest evils of the present time, which can hardly be considered too seriously, are the repudiation of debts, the

betrayal of pecuniary trusts, and generally dishonest methods in business. Education may do much to remedy these great evils. It may be assumed that the child who is early trained to deposit small savings in the bank is on the road to frugal and careful living; that the man who has been trained to habits of prudence and economy can be trusted. It was faith in the importance of a right beginning, and in the power of habit, which inspired a French teacher, M. Dulac, in 1834, to open a savings bank in his school. This habit among school children of depositing small savings, thus begun in France, has extended to Germany, Hungary, Italy, Belgium, and Holland. In France, the number of school savings banks in 1880, was 10,261, with 213,135 depositors. The whole amount thus deposited by children at that time was more than a million of dollars. M. Laurent, professor of civil law in the University of Ghent, said to the directors of the city schools, "Saving must be taught like any other virtue, by causing it to be practised. Children are the best agents of social reform. While small savings are of great value to all the children, they are specially so to the children of the poor, who see more pennies than larger coin, and for whom the habit of saving will be the only means of success in later years." This gentleman went from school to school to give the children practical lessons in economy, and thus, with the encouragement of the school commission, savings banks have been opened in many of the Belgian schools. In the city of Ghent, nearly one-third of the school children are now depositors. These savings banks are nowhere established by law, nor are they sustained by any government agency. They originate with, and depend solely upon the efforts of the teachers and scholars, and their success is due to the attractiveness of the idea of accumulating wealth, and the persistence and interest with which it is carried on.

The plan is very simple. After having made arragements with the nearest bank, the teacher informs his pupils that he is ready to receive their small savings, and that, as soon as the deposit amounts to one franc, he will transfer them to the regular savings bank, and the scholar will receive a bank book. The teacher fixes a day in each week when deposits will be received. He keeps a register in which he enters the names of the pupils and the amounts deposited. Each pupil keeps a duplicate account. Sometimes the registers and the blanks for the duplicate accounts

are prepared by the pupils themselves, as an exercise in writing and in simple book-keeping. The business outside the school-room, with the savings banks, is also very simple. At the beginning of every month, the teacher adds up the deposits of every pupil, and in case they exceed one franc he deposits the even francs, and keeps the amounts of less than one franc on the register of the school savings bank. When the pupil leaves the school the bank book is passed over to its parent or guardian. No pupil can withdraw a whole or a part of his savings without the consent of his legal guardians.

A statement has recently been made, and to my knowledge, not contradicted, that the recent losses in this country through repudiation and defaulting equals the amount of the national debt. Whether this be true or not, the fact remains that more pains ought to be taken to form in our children habits of frugality and economy, if we would have the people of this country practise the virtues of honesty and fidelity.

Physiology in Schools.

There can be little question that, to a certain extent, it is desirable to instruct children in regard to the functions and normal condition of the human system; yet this should be done with the greatest caution, otherwise erroneous and often injurious notions will be inculcated. Recently, legislation has been secured in the States of Michigan, New York, Vermont, New Hampshire and Rhode Island, requiring that "physiology and hygiene shall be taught in the public schools of these States, with special reference to the effect of alcoholic drinks, stimulants and narcotics upon the human system." The advocates of this law propose not only to introduce this proposed instruction into advanced schools, but according to the statute of Michigan, instruction in these special topics must be given to "all pupils in every school." Thus the pupils in primary, infant and kindergarten schools supported by the State *must* be instructed in "the effects of alcoholic drinks, stimulants, and narcotics on the human system." We think it quite time to enter an earnest protest against this method of nurturing children. This whole plan, however philanthropic may have been its origin and aim, is, to say the least, a misconception of the function and duty of the public school, and is impracticable in execution.

It is not proposed by this legislation to teach the normal, but the abnormal; not health, but disease; it is not physiology, but pathology; it is not temperance, but intemperance; a line of instruction the farthest possible from the true work of the public school. That it is impracticable in execution is apparent from the fact that teachers themselves cannot be prepared to give correct instruction upon "the effects of alcoholic drinks, stimulants and narcotics on the human system," where authorities differ so widely as to these effects, which are so unlike under different conditions. That incorrect, uncertain, or vague instruction on such a subject, would be futile or injurious, requires no argument. These laws have, without doubt, been framed for the purpose of instructing children as to the effects of inebriety. The Church calls it a vice; the State punishes it as a crime; and science considers it a disease; but whether it be vice, crime or disease, it is an unfit subject for children to study. Though it appears under the title of physiology, it is fair to presume that the statutes contemplate the study of this subject from the pathological or scientific standpoint, as a disease, marked by a progression of symptoms, which, if not arrested, go on to death. This disease, inebriety, arises sometimes from an inherited tendency, and sometimes from a weakened body or brain, which in its debilitated state craves stimulants. All the causes which produce this disease are not yet known. Neither are all the pathological conditions or the best methods of cure. Scientific investigators consider the field still an open one for research and inquiry, and would as soon require children to study the phenomena of cancer, consumption and lunacy as that of inebriety. The pushing of children into these abnormal fields of observation and study tends to produce the very effects which it is sought to prevent.

It is a curious phase in state legislation that without abrogating the laws which permit inebriety to be punished as a crime, it also compels the infants and youth of the state to study its etiology and symptomatology as of a disease. But one more step in absurdity remains to be taken and that a logical one — to teach the therapeutics of inebriety, as well as its etiology, to infants. We do not believe in the method of the old Greeks, who trained their children to avoid drunkenness by bringing a drunken man into their company; but hold that any person may well be debarred from service in the schools of the state who brings into the school-

room a tainted breath from the use of alcohol, an offensive odor from tobacco, a shaking hand from the misuse of coffee, an irritable temper from tea, headache, prostration and stupidity from chloral, chloroform or opium. Thus would we teach temperance in all things to our children. The civilization of today demands that the atmosphere of the school-room be pure and wholesome; that the instruction be adapted to the capacity of the pupils, and that a temperate and rational manner of living may be incited by the lives and examples of their instructors. On the other hand, let children suffer from long and continuous hours of confinement in school, let their brains be crammed and their bodies overworked, let their food be improper and their sleep deficient, and we shall soon discover morbid appetites and a craving for stimulants, which often lead the way to inebriety, lunacy, and kindred diseases.

Vacation Schools.

The gradual establishment of vacation schools in our large cities is an interesting study to observers of educational processes. These schools are the outgrowth of a tender and philanthropic sentiment among those who abound in charitable deeds. To keep the children of the poor from the noisy streets during the summer heat is the first object, — to occupy and amuse them rationally follows. But to divert and amuse should not be considered the chief end of vacation schools. In one of these schools (recently visited), where the primary object is not only to instruct but to teach the children to respect work, the results seemed to be happier and more successful than in those where the chief object is to amuse. This model vacation school numbers one hundred and thirty girls; the average attendance is one hundred and twelve. The first and last lesson each morning is in manners, a teacher being always at the door to properly welcome and instruct each child in courtesy, on arrival, and at the close of school to speed each child on parting, as though she were an honored guest. It was a novel and delightful experience to watch the lesson in carpentry; the girls, in light dresses and white aprons, using the saw, hammer and chisel with deftness and precision, and turning out neatly made knife trays, and cutting boards, and tables, as well as miniature beds and bureaus, the directors explaining that housekeepers have to drive nails, and put up shelves, and repair furniture and playthings, and that it is better to be trained to do each of these necessary things properly.

The lessons in housekeping and marketing are given with the view of making the girls capable housekeepers, and not simply servants. Lessons in the harmony of colors and in coloring pictures are followed, as the girl grows older, by lessons in embroidery, the tasteful application of color to articles of use or ornament for the house or person. There are also lessons in sewing, knitting and drawing, in modeling in clay, and object lessons in flowers with talks about them, together with singing and gymnastic exercises. The director attributes the success of this school to the fact that the teachers in each department are skilled, having been specially and severely trained.

More time should be allowed for vacation schools such as these. Three months are none too long to devote to practical instruction in industries, to avoid the excess of brain work, of memorizing and cramming, which is so properly a subject of complaint and alarm. Were the hand and brain of pupils developed in due proportion, the result would be self-helpful, self-respecting, capable boys and girls, of whom the country cannot have too many. These schools would also prove nurseries in which those with special talents could be discovered, and, through schools of technology, developed into the skilful artisans whom we now are often compelled to import, and who have been fostered and trained in their own country in schools supported by government appropriations. We do not need to further overload our public schools. Let us shorten the school terms, give the children time and opportunity to use hand and eye as well as brain, set them about it and show them the first steps, and we shall have no just cause to complain of the lack of practical working ability among our youth.

Association of Collegiate Alumnæ.

It is with satisfaction that I speak of the Association of Collegiate Alumnæ formed in 1882, to unite graduates of different institutions for practical educational work. Its present members are graduates of Michigan, Wisconsin, Kansas, Syracuse, Northwestern, Boston, Cornell, and Wesleyan universities, of Oberlin, Vassar, Smith and Wellesley colleges, and the Massachusetts Institute of Technology. Its methods of work are unique in kind and progressive in spirit. The health of women, as students, was the first concern of this Association. A circular of information was issued, showing the relative amount of instruction and

opportunities for physical culture afforded to women in the institutions represented in the Association. This tabulated statement exhibited at a glance the deficiencies in this respect in all these institutions. It was sent to the college authorities from their own alumnæ, and proved a needed spur to improvements in this direction. To this statement were appended practical suggestions concerning the best means of preserving the health of students: 1st, to parents; 2d, to the governing bodies of institutions which grant degrees to women: 3d, to women studying in these institutions.

The Association has made an effort to obtain health statistics from graduates in order to ascertain whether or not the health of women students suffered from a systematic course of study. For this purpose 1250 papers, containing some 40 questions relative to their health during childhood, college life, and the period passed since graduation, were sent to the graduates of the twelve institutions represented in the Association of Collegiate Alumnæ. About 700 of these papers have been returned with answers. These have not yet been tabulated, but, so far as examined, exhibit a favorable result. Many of them show a decided improvement in the health of women during and since the course of collegiate study.

Sanitary Science Club.

In accordance with the suggestion of the first president of the Association of Collegiate Alumnæ in her opening address, several members of the Association met, November 9th, 1883, and organized a club for the study of sanitary science in its direct relations to the home. The following is from the report of the secretary of the Club to the Association: —

It was very quickly discovered that the scheme required independent and original methods of work. There was no one manual containing all the desired information which could be used as a text-book by all. No general course of reading, at the same time authoritative and practical, could be recommended. The plan adopted was for each member to act as an investigator of a certain topic, and report the results to all the others at the fortnightly meetings, which were continued during nearly six months. The general subject chosen was the House, which was sub-divided as follows: Location and surroundings, care of the cellar, drainage and plumbing, ventilation and temperature of the sleeping room, living room and sick room, lighting, furnishing, relative merits of different methods of heating, and State and municipal statutes and

ordinances. A few important books were purchased, subscriptions were made to two sanitary journals and board of health reports, and health tracts were procured, all of which form the nucleus of a good working library. Beyond these the members depended largely on public and private libraries, collating from many different volumes, rejecting what was purely theoretical or abstruse, and presenting, in an abridged form, facts and statements which had a direct bearing on the subject under consideration. The reading of these reports was followed by a discussion which never flagged from lack of interest or point. Personal experience was not merely cumulative but helpful, and evidence brought from home life showed that the interest was not confined to the hour of meeting. Each one was expected to contribute to the point under discussion some illustration from her own home or boarding-place or a friend's house.

In order to make a useful diversion from the regular sessions, as well as to gain wider experience, special visits of inspection were paid to a carefully-planned schoolhouse whose sanitary equipments had been proved satisfactory, to a house in process of erection, where the pipes and drains were exposed to view and carefully explained by a master plumber, and to the new building of the Institute of Technology, where the system of ventilation was shown in detail by the instructor in ventilation. The final meeting was held at the house of one of the members, who invited her associates to inspect it thoroughly and critically, and suggest changes, with their estimated cost, in accordance with the conclusions drawn from the winter's study and observation. The guests made the most of the opportunity given them, and were as frank in making their criticisms, as their hostess was good-natured in accepting them. A dinner followed, which proved conclusively that hygienic food and real savoriness are not in the least antagonistic.

The members of the Sanitary Science Club cannot too strongly urge upon the Association of Collegiate Alumnæ the importance of giving thought and attention to the hygiene of the home. This duty falls more or less upon all women, but with none should it be more exacting than with college graduates. The problems of social and economic science are beginning to receive the attention they rightly claim, and the women of our country should not only be ready to learn from the discussions which are rife, but, by combining theory with practice, as no others can, aid in solving the great questions which so seriously affect the interests of the home and the family. The experience of the past year has shown that it is practicable to give systematic thought to these subjects. The time devoted to the work was necessarily small, but the interest which was steadily manifested was a sure proof that the results were satisfactory, while the spoken testimony of all is even stronger.

The members of the Club intend to continue their study through another winter, taking as the subject, "Living in the House."

The following sub-topics will be assigned: —

Food — 1. Materials and relative cost. 2. Adulteration. 3. Preparation.

Drink — 1. Water: dangers, tests and filtration. 2. Other beverages.

Care of the House — 1. Cleaning and washing. 2. Care and management of servants. 3. Planning of the daily work and overseeing the supplies.

Incidental Expenses — What, and how much?

Clothing — Material and methods of making.

Incited by this example, other sanitary clubs are now being organized by the members of the Alumnæ Association. This Association has arranged with the Society to Encourage Studies at Home to furnish special opportunities for advanced studies to college graduates. A circular of information has also been issued showing what opportunities for post-graduate study were open to women in the United States and England. An interesting meeting of the Association has just been held in Philadelphia, where the special subjects discussed were, "The Relation Between the Home and the College," "Occupations and Professions for College-bred Women" and "The Duty of College Graduates to Preparatory Schools." Through the courtesy of the committee of arrangements, the Association was invited to be present at the scientific meetings of the American Association for the Advancement of Science, and to assist in receiving its foreign guests.

No excuse is needed for thus presenting in detail the work undertaken by this Association of college-bred women, in the two years of its existence. It is the best refutation yet offered of the assertion that "the interests of the home will suffer if women are liberally educated." After the originality of the whole scheme of work is considered, the attention can but be arrested by the great emphasis given to the consideration of topics which bear directly upon the well-being of the home and family, — "how to keep humanity alive and well, and doing well." There is another point in the short life of the Association worthy of note, — there are no reflections upon the status of men, mental or physical, natural or acquired. They express no interest as to whether a man's brain be light or heavy; indeed, in reading their circulars, one observes how distinctly the promotion of education is expected to improve the condition of the whole of society, and not a part. We have in this association of college graduates, a tribunal of scholarly women to which may safely be entrusted the consideration and

determination of questions pertaining to the higher education of women; a tribunal competent to relieve theorists from their self-appointed tasks and needlessly magnified responsibilities.

School of Library Economy.

Columbia College has recently taken the initiative in a very important educational work — the training of librarians. Some of the reasons of this forward step are so urgent and convincing, that a restatement of them will be instructive. The work of the librarian has come to be regarded as a distinct profession. He has ceased to be a mere jailer of the books, and is becoming an aggressive force in the community. The librarian, who is master of his profession, is a most potent factor for good. There is a growing call for trained librarians, animated by the modern library spirit. An increasing number of competent men and women are taking up the librarian's occupation as a life work; but they have sought in vain for an opportunity to fit themselves for it. The few really great librarians are self-made, and have obtained their eminence by literally feeling their way through long years of darkness.

The plan proposed by Columbia College, is to give the special training needed in order to select, buy, arrange, catalogue, index and administer, in the best and most economical way, any collection of books, pamphlets or serials. The methods of instruction will be by lectures, reading, conference, discussion, visiting libraries, and work supervised by trained teachers. The aim of the school is wholly practical, and it will use the methods indicated in such proportion as experience proves to give the best results. While New York offers great inducements to students in library work, yet the establishment of similar schools in other educational centres would largely increase the influence and efficiency of libraries throughout the country.

Arbor Day.

From the Department of Agriculture we are informed that the custom of annual tree-planting originated in Nebraska, and has been adopted by Kansas, Minnesota, Michigan, Iowa, Ohio, West Virginia, Maryland and New Jersey. To Ohio must the credit be given of making arbor day a school holiday, and of interesting the school children in planting memorial groves. The methods of securing concerted action in the different States are quite unlike.

For example, from information obtained of the governor of Nebraska, "arbor day" is a creation of the State Board of Agriculture, which each year designates the day to be appointed for tree-planting. The governor then issues a proclamation to the people of the State, calling public attention to the importance of the subject, and earnestly requesting the trustees, superintendents and officers of the schools of the State to arrange for a proper celebration of the day by their pupils, in the planting of author's groups and memorial trees, accompanied by appropriate literary exercises. The day is so generally observed as to partake of the nature of a holiday, so the occasion is not only made useful to the State, but pleasant and instructive to the children. In Nebraska, the State Board of Agriculture offers a premium of fifty dollars for the greatest number of trees planted, to include all varieties; twenty-five dollars for the greatest number of hard-wood trees planted; and ten dollars for the greatest number of cuttings. In Ohio, the State Forestry Association has established the annual arbor day. The superintendent of the public schools in Cincinnati, Dr. John B. Peaslee, has published a pamphlet entitled, "Trees and Tree Planting, with Exercises and Directions for the Celebration of Arbor Day." This pamphlet is designed to arouse an interest among the pupils of the public schools of Ohio, in tree culture and in the protection of trees, and is accompanied by selections from authors who have written concerning the poetry and beauty of trees, and their value and influence upon waterways and climate. Already several beautiful groves have been planted by these young foresters, which commemorate events, and the practice is constantly extending.

In the Eastern states, Fast Day, which is still continued, although its religious significance has to a great extent passed away, might well be utilized as an arbor day. The children would in this way be instructed about trees and tree planting. With trees and groves would be associated in their minds, names immortal in history; and better still, it would teach each child the way to make early use of its tender and pliant muscles for the permanent benefit of the whole country during succeeding generations. Oliver Wendell Holmes emphasizes the use and poetry of tree-planting for children in the following graceful language: —

When we plant a tree we are doing what we can to make our planet a more wholesome and happier dwelling-place for those who

come after us, if not for ourselves. As you drop the seed, as you plant the sapling, your left hand hardly knows what your right hand is doing. But nature knows, and in due time the power that sees and works in secret will reward you openly. You have been warned against hiding your talent in a napkin; but if your talent takes the form of a maplekey or an acorn, and your napkin is a shred of the fold that covers "the lap of earth," you may hide it there, unblamed, and when you render in your account you will find that your deposit has been drawing compound interest all the time. The trees may outlive the memory of more than one of those in whose honor they were planted. But if it is something to make two blades of grass grow where only one was growing, it is much more to have been the occasion of the planting of an oak which shall defy twenty scores of winters, or of an elm which shall canopy with its green cloud of foliage half as many generations of mortal immortalities. I have written many verses, but the best poems I have produced are the trees I planted on the hillside which overlooks the broad meadows, scalloped and rounded at their edges by loops of the sinuous Housatonic. Nature finds rhymes for them in the recurring measures of the seasons. Winter strips them of their ornaments, and gives them, as it were, in prose translation, and summer reclothes them in all the splendid phrases of their leafy language. What are these maples and beeches and birches but odes and idyls and madrigals? What are these pines and firs and spruces but holy hymns, too solemn for the many-hued raiment of their gay, deciduous neighbors?

"To be taught to think," says a distinguished educator, "to be developed as a human being, this is education." But do we not see in the educational movements to which our attention has been called, a broader meaning to education than merely to think or to know? Is there not a constant endeavor to compel knowledge to minister to the well-being of the public,—not only to know, but to *do* for the good of all? Difficult to execute though it be, it is a grand conception of a true education. Phillips Brooks, that sympathetic and cosmopolitan preacher, says: "Learning and life, that which is known in the world, and that which is to be done in the world, stand over against each other, and the perpetual problem is how they shall be brought together. Like two strong men who gaze into each other's eyes and know that they ought to be standing hand in hand; like two great promontories, which stand and watch each other, and feel the sea which runs between, and yet feel under the sea the sweep of the continuous earth which makes them one, — so learning and life, that which is known upon

the earth, and that which is to be done upon the earth, stand gazing at each other, and knowing that however they may be separated and kept apart, they belong together."

This is indeed a great problem, and the world will unceasingly demand its solution.

III. ATHLETICS IN AMERICAN COLLEGES.

BY PROFESSOR EDWARD HITCHCOCK, OF AMHERST COLLEGE.

The desire to prolong his life and enjoy it to the fullest extent, is a regnant idea in almost every man. And to this end nearly every one labors to the best of his abilities. This the individual does.

But national and state governments, some corporations, local communities, and educational institutions also, have duties to perform in this direction. For in every community there are sure to be some selfish and negligent persons, who are not only willing to injure themselves, but greatly endanger others. Hence National, State and local laws are enacted to protect the public health, and officials are appointed to execute sanitary and hygienic measures.

The attention given to the health of body and mind among educational institutions, is one of the marked features of modern progress. Its beginnings have been shown in attempts to secure physical exercise for students, by manual labor, work-shops, agriculture, horticulture, military discipline, calisthenics, and gymnastics.

About the close of the last century, Pestalozzi and Salzmann seem to have given us our earliest ideas of physical exercise, as gained by the fixed apparatus of modern gymnasiums. In 1811, Jahn opened in Berlin the Turnplatz, or gymnasium which was the alma-mater of all the gymnasiums in Germany. In Switzerland, in 1815, gymnastics were introduced into the schools and colleges of the country. At the Royal Military Academy at Woolwich, England, German gymnastics were introduced in the year 1823. At the Round Hill School, in Northampton, Mass., a gymnasium was established in 1825; also one in the Salem Latin School at about this period, and one on Charles Street, in Baltimore. And between 1830 and 1840, so-called gymnasiums were established in several colleges and academies in New England, where with limited apparatus, usually in a cold, cheerless building, or a grove, students were allowed to exercise their bodies when and how they pleased, with no guidance, system or protection. Like music, and some other branches of education, physical culture has been appended to and recommended by many educational institutions, but

in only a very few, up to the present time, has it been made a vital part of the regular course of culture.

The modern idea is to recognize, control and direct physical culture, recreation and amusements as a part of our educational systems, in order to make use of all the energy of the student while in college or school. Probably 1859 is the period when first a rational and systematic idea of physical culture came to the minds especially of the leading educational institutions in this country. And right here comes up the practical question to every educator, how much must the institution do for the individual in the matter of private and public health? To how much must the college give direction and demand attention, and how much must be left the individual to provide for himself?

At the age when students go to college, it is to be presumed that they have had the early home training of mother and nurse, and generally that they will remember and act up to it. But with the growth and development of their powers, additional instruction must be given them which home does not afford, in regard to their growth and more mature abilities. At this period, if healthy, they need special guidance and control, not because they are ignorant, but because much more self-reliant, they have more confidence in their ability to direct themselves and others, are more impulsive, and if injured or under the power of a slight malady, recover more readily than later in life. They need at this period some definite laws laid down to them, more or less explained in connection with their anatomy and physiology. It is time they understood the reason of many of these things. Hence by recitations and lectures, students should be early taught the common laws of hygiene, specially as pertaining to college life, and exactly for the same reason, and in essentially the same manner, as they are taught how properly and advantageously to use their mental powers. After they have been directed how to take good care of the body, the college is bound to give facilities, apparatus, appliances and inducements to obey these rules of health, in certainly as accessible and profitable ways as it gives apparatus, charts, blackboards and libraries to develop and guide the intellectual powers. A college is at fault if it furnishes incorrect or imperfect apparatus, or those means which are obsolete, or are shown to be injurious to the student.

The student comes to college with presumably a good physical and mental health. The college should furnish him with such

healthful surroundings as will promote his growth, and not tend to impair his health. Locations and buildings must be approved by the laws of hygiene and the Commonwealth. The laws of the proper heating, ventilation and drainage of buildings must be obeyed most rigidly by the college authorities. More strict attention must be given to these laws in a college, than in other more sparsely settled portions of the community, because of the close crowding and the greater danger of the contagious diseases.

As the idea of a college is to so train men that they may most profitably use all their powers in the advancement of knowledge and culture among men, it is its duty so to arrange its whole course as to promote this culture in as profitable a manner as is possible. It should give the best instructors, the most approved apparatus, and other means of developing the mental powers, and so condense, arrange and methodize all work, as in the best way to economize the time and the strength of the student. The courses of study should be so arranged that one subject prepares the way for another, which should supplement the first. Time and energy must not be lost by a change from one department to another. And facilities should be furnished so that the best work may be grafted directly upon previous good work.

And the necessary care and culture of the body must be so provided for that it may come in at proper times and places, when the man needs muscular activity and rest from study, or demands recreation, or at least a change in the way of using his nerve force. This is where a Department of Physical Education serves its purpose. It is not enough for the faculty of a college to enlarge upon the value of long walks, inspiring pure air, an occasional bath, as the condition of the weather, the inducements of the natural surroundings, or the inclination or daily duties of the student may allow. With the present material surroundings of nearly all our homes, in these days of steam and electricity, and the many conveniences, comforts and luxuries of every-day life, it is demanded of the college that good facilities be offered to its students for pleasant, profitable and well-directed muscular exercise, and in an attractive form: exercise which is not excessive, but regular and healthful, which is pleasurable, which may be carried on amidst such surroundings as are equal to those in other departments of the college; and the matter of personal bodily cleanliness should be provided for, since the student cannot enjoy the

comforts of a home. Hence it should be the duty of the college to direct its public health, by the provision of proper baths and the necessary attachments.

In fine, then, the advanced idea of a college should recognize as a part of its work a supervisory care over the conditions of the health of the student, and an education how to use the physical powers in harmony with the intellectual, by instruction and enforced attendance, healthful and recreative duties, so far as to be able to maintain the highest powers of the whole man to keep them thoroughly active in the summer time of existence.

If one were asked to state the important point to be secured in the education of the body, he would probably say endurance, strength, activity, and grace of motion; and in systems of physical culture these have been striven for with earnestness and zeal. We admire the crew who can hold out well to the end of the course; the runner or the boxer who has the best wind, and the gymnast who sustains himself in a trying position for the longest period. And we are pleased with the strong and agile feats of the gymnast, vaulting, dipping, turning or leaping, with an ease and strength so graceful and accomplished, with apparently so little exertion. And yet we never find the man who is master of all these accomplishments at once. The boating man has a gait most peculiar to himself, and one not marked with ease and grace; the ball-players and athletic men do not exhibit grace in the dance, though they may well measure the step, and be in accord with the cadence of the music.

Yet, in many of our systems of physical education, there is a radical error, because the desire is to produce a powerful effect by proclaiming strength alone, or endurance alone, or grace alone, as the end to be secured. The mistake has been to create a high market value in a limited part of the body, to unduly develop muscle or lung power, which while essential, are not the only or perhaps the main ends to be attained.

A modern writer and philosopher has said, "To be well is the first duty of man." Thence the attainments sought after in a system of physical culture should be to sustain *all the powers of man*, symmetrically, equably, and harmoniously, *up to the normal standard*. No steamboat or railroad will arrange its time-table squarely up to the utmost speed of its engines. No bank will divide all its earnings. And the possibilities of hygiene in college should be

to be *well*, to be *happily* and *comfortably well;* not to be an athlete or gymnast at the expense of mental and moral powers, but to secure for this end whatever things may tend to keep up, in the growing period, the normal and natural strength of mind and body. Gymnastics and athletic sports are a part, and an essential part, of college education, but when these dominate the man, then he is in a great peril, as great as he incurs who makes himself only a philologist, mathematician, metaphysician, or anything else, in disregard of any or all his possibilities as a physical, intellectual, and accountable being.

About the year 1856, the late President Stearns, of Amherst College, developed the idea that physical culture, or a proper care and knowledge of the body, should be as necessary a part of a college system as the mental or moral discipline, and that the maintenance of all the normal powers of the body in a college student, is as important to his present and future work, as is the intellectual and moral training which the college imparts. As the student must know what are the leading faculties of mind and heart, and how to keep them in their highest efficiency, so should he be familiar with his bodily powers and their mutual action and reaction upon mind and soul; and it is as much the duty of college to ensure facilities for the one as for the other. This, of course, implies that activity must be enjoined upon all faculties, mental and bodily, especially in the growing and developing stage of young men. Hence the correct and dominant idea that physical, muscular activity, in its proper amount and direction, is a great regulator of health, and an important aid in the bodily development of all people, — especially the young. This is based on the fact that about half of the human body is muscle — lean meat — and the only way to keep it healthy, active, and vigorous, up to the normal standard, is by actively and properly using this muscular tissue, or by "taking exercise," as it is commonly termed. This use is necessary in order to furnish the muscles with a healthy growth, to promote sufficient circulation of blood through them, to induce a sufficient absorption of the waste, to so excite and control the nerve force, that it will readily, promptly, and efficiently arouse the muscular fibre to activity, when either automatically, or by demand of the will, the action is required. And it is a fact of great importance that if the muscles are normally strong and in good order, the other organs of the body are

much more likely to be in good condition. One of the tests, oftentimes, in ascertaining occult disease is to try the muscular strength of the forearm, and if it is up to a fair standard to give encouragement to the patient.

Good bodily muscles almost always imply good lungs; "capacious lungs" are important points to life insurance companies — a large heart with an abundance of blood; and a stomach and bowels competent to nourish every part of the body. A strong man is apt to have a will of his own, and a power to direct his intellectual forces intelligently, whether the mental capacity be great or small. A strong man usually has a voice able to make himself felt by others. In fine, properly regulated physical prowess, the world over, does give the advantage to a man over all his own powers, and those of his fellow-men also.

But muscular strength and agility are not the sole attainments of physical culture in educational institutions. Nor is it to growth and development entirely that attention should be given. As the health of a city in ordinary times depends as much on the cleanliness of its inhabitants, its streets, and back yards, and the efficiency of its sewers, as it does on its food markets, so does the body need to maintain in full vigor its excreting or waste organs. Of these the principal ones for the student to give attention to are the skin and the lungs. Of the six pounds of food and water taken by the average man daily, at least one half is taken from the body by these two waste organs, and through an almost infinite number of minute glands and tubes. If now these organs do not maintain the average activity and carry off deleterious substances, these must either remain in the body, or the work be performed vicariously by other organs, thus overtasking them and disturbing the healthy balance of work in the different parts of the body. These organs are ordinarily stimulated to healthy action by muscular activity which regulates the amount of blood sent to them, and at the same time excites normal nervous impulses, and thus secures a proper secretion of the matter to be rejected from the body. But in addition to the impulse of activity of the body other stimuli are necessary, such as the solvent power of water and the excitement of heat. These are accomplished by the application of, or the immersion in, water or steam of varying temperatures, as well as dry heat. Pure air also, with the proper amount of moisture in it, is an essential for the health of both skin

and lungs. Both the skin and lungs are furnished with an almost infinite number of sensitive nerve fibres, which if maintained in proper health and sensitivity not only keep these excreting organs in health and vigor, but by their reaction and reflex influence greatly control other and more important organs of the body, and not only the emotions and feelings, but the intellectual states also. Or, as Dr. Sargent, of Harvard College, says: "The object of muscular exercise is not to develop muscle only, but to increase the functional capacity of the organs of respiration, circulation, and nutrition: not to gain in physical endurance merely, but to augment the working power of the brain: not to attain bodily health and beauty alone, but to break up morbid mental tendencies, to dispel the gloomy shadows of despondency, and to insure serenity of spirit."

Based upon these general ideas, Amherst College has, for twenty-four years, sustained a Department of Physical Education and Hygiene, by which is meant the instruction of all students in the laws of the structure and use of the body, and some specific instructions to the individual for his health, and a required system of physical exercise, combined, so far as possible, with recreation and enjoyment. This instruction has not been of such a nature as to make anatomists or physiologists, nor a study in the direction of disease, or how to treat disordered bodies, nor to create or maintain athletes; but only such knowledge as will help the better to understand how to keep healthy and vigorous minds and bodies working harmoniously together; how to keep the growing powers active while in the developing period of college life, so that the training may tell in the world's work. It has been accomplished by plain, simple and familiar lectures and recitations, amply illustrated by the well-known classic models of Auzoux of Paris, and a series of lectures to the freshman directly on entering college.

The idea has been carried out at Amherst, that a college can be furnished with such means for some physical exercise by which *all the students* may be benefited, and this when they are in a class together, as in other departments; thus securing the stimulus and animation of fellowship in the duty, as well as a personal benefit at the same time. As Mr. C. F. Adams says, "The contact with his equals in the class and on the playground, is the best education a boy ever gets." This community or associated exercise must be of such a kind as not to have military rigidity on the

one hand, or the looseness of rowdyism on the other; and this feature is an essential part of the whole plan which is the most difficult to manage and arrange, and the benefit of which must be judged of more by the opinion of the graduates who have gone through it, than by the passing judgment of outside parties. The nucleus of the work has been an exercise with wooden dumb-bells by each class at a stated hour each day, guided by the music of a piano, under the leadership of a captain. And this exercise does not over-develop the muscles, nor tend to make mere muscular men. The muscle is not put to a severe trial, but is only actively and moderately called into action, so as to keep up its normal or healthy growth. It is only swinging light dumb-bells for a short time; and yet, only those who have gone through the actual work of swinging wooden bells to lively music, for even twenty consecutive minutes, know the healthy exercise and stimulus that is furnished to the muscles, skin and lungs. The exercise may be called gymnastics or calisthenics, or by whatever name is acceptable — a rose would smell as sweet if called by any other name,— but the exercise, as carried out in this way, gives fuller breathing, a more vigorous circulation, an increased action of the sweat glands and the supple and active muscles, to which no young man of an average body can offer objection. Professor Wilder, of Cornell University, says: "For students, agility is more desirable than great strength. It may be attained by movements of the body and limbs, with or without light weights, or dumb-bells, or Indian clubs." It is not asserted that this exercise with light bells and piano music is sufficient exercise for every student in college. It only claims to be a minimum. The demand for food, for fresh air, for sleep, for study, vary exceedingly, and the personal equation in these hygienic demands must vary as well as in the necessary amount of muscle use. Probably, every other man who has come to Amherst College to get the most out of the college, in any way he can, by using every aid the department furnishes — required and voluntary — will obtain recreation and exercise enough to keep himself in good working order by living up to the *requirements* of this department. But others do not get a full amount of physical care and culture to keep them up to the highest standard of physical health by these required facilities of college. A goodly number of the class—perhaps a half,—will never do more work than is required of them in any branch of

study. And if this is not a characteristic of nearly everybody outside of college, as well as in it, to do as little of anything which they are required to do, without an immediate and personal and selfish gain, then some of us have observed human nature in vain. Will any teacher in college tell us what proportion of his *whole class* make the most of work under him when it is required, and not optional work? Does he find one in ten or five? While a majority will do as well as they can with ordinary work under his direction, does he find the enthusiasm, the zeal, the eagerness to embrace every point, as perhaps the five per cent. of any college enthuse when a regatta or base-ball season is at hand?

Is it right, then, to expect that young men, averaging from twenty to twenty-two, generally of good physical inheritance, with vacations of one-fifth of the year, — more than one day in a week, — when the elasticity and buoyancy of hope, good cheer and present comfort are at their maximum, when sickness is at its minimum, when experience of pain and dark days are unknown to them — when all these are matters of their every-day lives — can we expect many of them to give special attention to the health which they seem to possess, and especially if it interferes with their present comfort and pleasure, *if it be left to their own choice to provide for it*, or without some special attractions towards it? And again, I ask, do even a majority of older, wiser and more experienced men, on the average, — more than ten per cent. even, — take any better care of themselves than the same percentage of college students!

If, however, this be the just statement of things, in regard to the care of the health, which people will take when in ordinary circumstances, it does not mean that we should let things alone, or allow them to drift. It is in an adverse direction which Amherst College has been tending for nearly twenty-five years. She has endeavored to adopt those means and employ those agencies, by which the students shall secure for themselves such physical exercise as can be provided without making it tedious, burdensome or objectionable, but wholly necessary and pleasant. She has directed the students to follow such guidance, and do so much for their recreation and exercise, as can be secured without interference with study, at the same time enforcing so much attention to the rules and practice of health as will the better enable them to find out what are their intellectual, moral and physical powers, and

how to handle them to the best advantage. For the college does not strive to make specialists, monstrosities, or athletes, but only so to train the powers that the graduates may become successful in that special direction which they may choose, when they settle down to the work of life, after college discipline, training, and direction have done their full work. And without doubt, to nine-tenths of college graduates, for the solid work of life, physical endurance will be far more important to success than simply the highest intellectual attainments.

The required exercises of this department, as at present conducted, furnish *all of* the students a modicum. The college *requires all of them* to get a regular, constant and uniform physical exercise with recreation: gathers them together at a stated time and place, and tries to induce by the surroundings to help them to secure a change of occupation, a good time, and forgetfulness of study for the short hour. The object aimed at is, *to secure and keep in good health and activity all the powers*, making them to act in perfect harmony, and not seeking to secure only handsome and well shapen bodily forms, or the greatest amount of power in lungs, heart, nutritive organs, and muscles. To secure that health and general power and endurance of the body, which shall the most completely supplement and associate with mental and moral culture, is the object of the methods adopted at the Amherst gymnasium.

Thus far Amherst College has been considered in the Department of Physical Education only, as it has been, and is at present. It started on a new experiment twenty-five years ago, with somewhat crude ideas, and without the immense strides of material progress which the nation has taken since the civil war. It began with the wants of two hundred students; now it has three hundred and fifty; and with the paternal idea of college full in view. Now it deals with students of the average age of twenty-one years and one month. Twenty-five years ago, bare — very bare — necessities were furnished to the student in his surroundings. Now, by the facilities of steam, electricity, and material developments everywhere, in public and private, bodily comforts, care and attention, and legal governmental supervision, the college must keep pace, and perhaps a little ahead, in order to make itself the most efficient in its work. So that the plain, simple, and cold gymnasium, with but very little apparatus for individual development and attention, with no means for bathing, must be supplemented by something abreast of the times.

And for this very appreciation and aid, the college is most fortunate in one of its alumni; not a mere "*pro auctoritate mihi commissa*" graduate, but one who, as the captain of the class of '79 for three years, most thoroughly appreciates the wants of the college in its physical culture, and who has handsomely come to the front, and proposes to put this department in such a position that it may accomplish for the future what it has steadily tried to do for the past; or, in his own words, "to increase the usefulness of the Alma Mater in that department in which he ever felt an interest." Charles M. Pratt, of Brooklyn, has given to the college such a superior building as the department recognizes the necessity of, for today and the future. And the Pratt Gymnasium stands as a munificent gift of an alumnus to his alma mater, and a gift expressing an appreciation of the needs in the direction of physical education in our schools and colleges.

This new gymnasium does not only mean more and better appliances which the student may use for his health, but will require more knowledge of, and better guidance of the student. He is not only to have more and better means to do with, but is to be better instructed how to use the methods and opportunities for his individual good. At the same time, it is not best to require and oversee all the physical exercise of a student, any more than a literary professor can watch all the time over the men in his department. Be it in physical health or mental study, each student must have not a little freedom to work in his own way, somewhat according to his own taste and choice, and not by an inflexible method with no allowance for the personal equation. Students are urged, allowed and induced to secure recreation, exercise, and a daily outing, and some fun aside from the requirements of the class exercises. And a majority of the students will avail themselves of this unrequired exercise and recreation. And yet, the new gymnasium, well apportioned in all its parts, is so furnished with appropriate appliances as to give every man a chance for some physical exercise, in spite of the, at times, uninviting climate, and other contingencies, which keep us within walls and under roofs.

While it is proposed to maintain the daily class drill as the rallying point for all the physical exercises of college, the great number of pieces of special apparatus and machines now introduced, will not only give greater advantages of voluntarily varied

exercise to the well-developed and entirely normal student, but advantages will be offered and prescribed to the few who are unsymmetrically developed or only well developed in a portion of their bodies.

The earliest study of the human form and its proportion, so far as can be ascertained, dates back to the early centuries of the Christian Era. And the first record of such study we find in a Sanscrit manuscript of the remote civilization of India, called the "Silpi Sastri," or, "A Treatise on the Fine Arts" The leading idea of this monograph is that of the vertical measure of the body, and its division into certain parts, which, when existing in the proper proportion, constitute the perfect human body. These parts number 480, and are divided as follows:

The hair,	15
" face,	55
" neck,	25
" chest,	55
From the chest to the umbilicus,	55
Thence " " pubes,	53
" " " knee,	90
The knee itself,	30
The leg and foot,	102
	480

The idea suggested by these "parts" of the Silpi Sastri, is, that the body is planned and constructed according to certain "canons," "modules," or "standards," which are determined by arithmetical or geometrical proportions, and up to almost the present day the artistic idea has been to discover what this occult, mysterious, and wonderful quality of triangles, squares, circles, and numbers, is, that will furnish the key to unlock the absolute perfection of the human form.

In the Egyptian monuments we find a wonderful and vigorous adherence to a definite scale of proportions, and the persistent unwillingness of these artists to represent their figures in any manner except that of sitting or standing upright, gives an inaccurate idea of the human form as it then existed. And still the characteristic features of the negro are so well preserved here, that we can but wonder at the physical change which has come over this race during 4000 years.

Almost 400 B. C., Polykleitus, a Grecian sculptor, wrote a treatise on human proportion entitled the "canon." This was illustrated by a statue called Doryphoros or Spear Bearer, which history confirms as a work of almost perfect proportions, and which Vitruvius, a Roman of later date, dwelling upon at great length, gives an intelligent account of, and describes in many of its details.

Phidias — it is said — to arrive at elegance, employed 20 models: he borrowed from each of them the most beautiful parts, his knowledge of the human form permitting him to arrange them with all the necessary strength and dignity."

During the "Renaissance" the artists of Italy, Germany, France, Belgium, and Holland, as well as mathematicians and anatomists, made the study of the proportions of the human body the subject of theory, practice or treatise, to a very considerable extent.

In 1770, Sir Joshua Reynolds, in England, seemed to appreciate a most clear conception of the true theory of human proportion (and like a true artist sought to carry out the theory on canvass), though he took no pains to establish his views by measurements and weights of the body. His language is this: "From reiterated experience and a close comparison of the objects of nature, the artist becomes possessed of a central form from which every deviation is deformity. To the principle I have laid down, that the idea of beauty in each species of being is an invariable one, it may be objected that in every particular species there are various central forms, which are separate and distinct from each other, and yet are undoubtedly beautiful; that in the human figure, for instance, the beauty of Hercules is one, of the Gladiator another, of Apollo another, which makes so many ideas of beauty. It is true, indeed, that these figures are each perfect in their kind: but still none of them is the representation of an individual, but of a class. And as there is one general form which belongs to the human kind at large, so in each of these classes there is one common idea and central form, which is the abstract of the various individual forms belonging to that class. But I must add, further, that though the most perfect forms of each of the general divisions of the human figure are ideal, and superior to any individual form of that class, yet the highest perfection of the human figure is not to be found in any one of them. It is not in Hercules, nor in the Gladiator, nor in the Apollo: but in that form which is taken

from them all, and which partakes equally of the activity of the Gladiator, of the delicacy of the Apollo, and the muscular strength of the Hercules."

Up to the early years of the present century, the study of this subject was exclusively given to find out the mysterious key or idea of the plan of the human form. The desire was to find the artificial idea of the body, as Linnæus classified plants and animals by a simple numerical quality. But between 1820 and 1830 the natural system of investigation and discovery was introduced, and was, by Sir John Herschel of England, and Baron Quetelet of Belgium, applied to the human form. This depended upon a certain use of numbers, it is true — that of measuring and weighing — but it was a simple collation of data, and so comparing and arranging them that the much-coveted "idea," or "canon," or "module," could be obtained by finding the variations in the body, and thus deducing the true form, casting aside the irregularities, the greater first and then the lesser ones, till an approximation to the ideal was exhibited. The examination, the weighing and the measuring of the body and its parts, was quite extensively carried out by these two men, who, by establishing a "*mean individual*," *not* an "*average*," are bringing us nearer to the determination of the typical man or woman, than ever before.

And here must be considered the difference between the typical "average man" and the typical "mean man." By an *average individual* is meant the young man who is like the greater part of his fellows in certain matters — say height or weight: that is, if all are arranged together for comparison, the average man will be the most like the largest number. And the mean student, too, will be somewhere near to the average student; but in arranging all the students to show the mean student, we shall find the mean at the top of a curve descending both ways, called the "binomial curve." The mean student represents a central magnitude, all deviations from which are to be regarded as deviations from a standard. An average gives us the medial sum or quantity between two or more sums or quantities, while the mean gives the intermediate point between two extremes. The mean gives us a regular march of groups, from the least up to the standard, and then a march down to the smallest, while the average shows the irregular groups here and there. "An average gives us no assurance that the future will be like the past; a mean may be reckoned on with the most implicit confidence."

The method at present employed to ascertain the average, or mean man, and thus the typical man, is by comparing as many as possible of certain outline measurements of the living man, and from these to construct the type. With this object in view, very many men — especially medical ones — have been compiling them by the tens of thousands. These have been mainly of persons congregated in prisons, hospitals, and armies, and latterly schools and colleges. When work was first begun in this department at Amherst College, twenty-four years ago, "vital statistics," as they were termed, were taken of every man entering, and yearly afterwards during his course. These were "anthropometric" — man-measuring — items such as weight, height, several girths, lung capacity, and a simple test of strength, secured mainly for anatomical and physiological science, and to allow the student by annual comparisons to see what his development might be. These have been carefully maintained, and enlarged extensively up to the present time, and valuable tables secured therefrom.

But a more extensive series of measurements, and a more accurate examination of the student, and some knowledge of his antecedents is now demanded. For all people, young and old, are not equally developed. And in every college class a few are sure to be defective in certain points, and at their age may be furnished some development of their weaker parts, by judicious inspection, advice, and proper gymnastic apparatus. Or, as an old English poet says: —

> "Few bodies are there of that happy mould,
> But some one part is weaker than the rest;
> The leg or arm perhaps refuse their load,
> Or the chest labors. These assiduously
> But gently in their proper arts employed,
> Acquire a vigor and elastic spring,
> To which they were not born."

Thus, with the means at hand of the Pratt gymnasium, the old system of statistics is greatly increased in number and minuteness, there being sixty-two items now secured of each man, as he enters college, and twice afterwards during the course. This examination not only considers his present and hereditary condition, but his arms, legs, body and bones are tested, and the more important vital organs such as heart and lungs are specially looked into by stethoscope and percussion, as well as the eyes considered in regard to

near sight, astigmatism and color blindness. An accurate record of this examination is kept on file at the gymnasium, which may be consulted by the student at any time; that is, each man may know and study his own record. This record is also the basis for advice, prescription and suggestion by the department; and on his entrance to college, every student is furnished with the average condition and measures of a student of his own height, which he may use, and the professor also, as a basis for advice and gymnastic training. And, while a student is to enjoy the advantage of the class exercise, as heretofore, he may now be able to attend to the growth and development of any parts of the body which are not up to the normal standard. And by the large additions of new apparatus, not only is the defective man guided and helped, but the average man will find more apparatus, appliances and baths to supplement the service of his dumb-bells, and will be invited to give his muscles, skin and lungs a quota of increased relaxation from study and physical exercise, such as he may desire.

The matter of athletic sports and games, indoors and out, seems to need a recognition and reasonable support from the authorities of college. In spite of the excess of competition, not only in games, but in business and intellectual and religious life at the present day, there is a feature of much good and recreation in the games of today, which demand a proper recognition, support and control. Were our climate without its rigors of cold and its pungency of heat, no doubt it would be best to have no covered gymnasiums, but use only the field and grove for recreation and exercise. But when military men tell us that through the average year, only about half the days are suitable for the ordinary drill of the soldier out of doors, we must provide walls, roofs and artificial heat. And yet during the delightful out-door months of the year, all people should be incited to be out of doors for work, exercise and recreation, to the fullest extent possible. And while it is very true that for the most harmonious development, the games of base-ball, foot-ball and tennis are not equal to the symmetrical work of dumb-bells, gymnastic apparatus, or even boxing gloves, yet the exhilaration, freedom and fresh air of these games are excellent means of promoting and maintaining the health of very many, and especially young people. It, therefore, seems safe and wise to say that clubs for these games are to be encouraged in a college. And the formation of the club is a very essential part,

that the games may be controlled and guided by what are the rules and methods obtained by experience and practice. That while many may enjoy and profit by a regular half or whole hour daily, there should be a centre to rally around, and a method to be followed to gain a good result from the exercise. For the good effect of most of these games is not only muscular work, sweat of the skin and inspirations of the lungs; but the playing by rule, the spirit of submission to decisions, of obedience, of quick determination and coöperation are of great value, specially to the young man in process of mental and moral training.

Results of course are expected. And accurate statistical data have been secured at the college during the existence of the department, but not before that time. Hence comparisons are very difficult to secure, because anything reliable and carefully recorded, as to the condition of body or health, previous to about 1860, is merely a matter of present opinion or tradition. No earlier records of health are preserved, not even the deaths noted in official returns, nor the physical condition of the students made of any account, in any college so far known to the writer, save where the faculty accounts of the intellectual or moral standing of the student incidentally bring up the matter.

Perhaps the earliest note of warning and need of the subject was made by President Stearns, of Amherst, in his yearly report to the Trustees in 1859, when he says: "By the time junior year is reached many students have broken down their health, and every year some lives are sacrificed"; and "during the year two of the most promising students in the senior class have just deceased." Dyspepsia used to be heard of and endured. But during the last twenty-four years only two cases are recorded as causes of disease. Nervousness and exhaustion formerly were sources of much trouble to students. There has not, however, been a single case in each of these years. Boarding-house keepers say that they are compelled to furnish more and better food, such as oatmeal, bread and meats. And the opinion of the faculty is most positive that a much better condition of health prevails than before the establishment of a Department of Health in the college.

It is not possible to state the amount of sickness in any community with exactness, it is such a peculiar quantity, and is so varied a factor with different individuals. But careful observa-

tions have shown that in England, for every death there are two persons constantly sick, and there are seven hundred and twenty days of disability for every death. And in Europe every individual loses from nineteen to twenty days by sickness, each year. In Massachusetts, during 1872, there were 13.9 days lost to each person from labor by sickness. The average loss of time of the entire men — not officers — of the United States navy, on account of sickness and accident, for the year 1881, was 11.9 days. These were men known as "under treatment."

The manner of estimating the amount of sickness among the students of Amherst College, has been to enter a man on the sick list if he has lost more than two consecutive days from all college work by sickness or accident. As a result, during twenty years— 1860 to 1880 — we find the amount of time which has been lost by sickness, when averaged upon the whole number of students, to be 2.65 days to each man.

Another fact which seems to reflect credit upon the value of this department, is the decrease of illness during college life. As it stands in a tabulated form, we find the following per cent. of the class who lost by illness: —

Freshmen,	29
Sophomores,	28
Juniors,	23
Seniors,	19

Or a decrease of disability of about ten per cent. And this has not been a sudden increase at either part of the course, but a steady growth, year by year. The number of Amherst students from whom the data were obtained is 2,106, and their average age 21.1 years; the period of their observation was four years, and their average per cent. of good health was seventy-five per cent. of the whole number.

NOTE.—For an abstract of Dr. Sargent's address, and Dr. Hall's report to the Health Department, see a subsequent page.

IV. PHYSICAL EDUCATION IN WOMEN'S COLLEGES.

BY MRS. R. S. BRYAN, OF ANN ARBOR, MICHIGAN.

The desirability and necessity of gymnasiums in women's colleges is, today, ardently advocated; it is, therefore, pertinent to inquire why this demand; and also "Are there any objections to an athletic training for college girls"? The "why" may concisely be answered by a plea for health and diversion; the objections depend upon the management of any given gymnasium. If young women, unfitted for their tasks, crowd into collegiate institutions, doubtless it is necessary that those who supervise them, limit the mental efforts of such girls within the bounds of fatigue, and provide for that building up of the body which should have been thought of years before; but young women and young men who enter college with health and an assured physique in their favor, should not need a special and extensive course of routine gymnastic work to keep them in tone. Moreover, to suppose that a girl who is exhausting herself mentally, will be benefited, while doing the same amount of brain work, by unaccustomed physical labor, is a physiological error, financially illustrated thus:—Peter robbed to pay Paul, and Paul robbed to pay Peter, till both are bankrupt. Otherwise stated, when a girl enters college, it is the duty of those who send her there to believe that she is ready for the strain; since, as it is not the best economy which delays strengthening the foundations until the goods stored in the warehouse are causing them to tremble, though it is wise to keep them in order.

"The due and proper training of the muscular system is among the most important means of antagonizing the tendency to various disorders," but there is a time in the development of the individual which is far better than the college years for this training. The college bred girls of today, who are forced to curtail their desire for study because of their unbalanced physical powers, will gladly see that to their children comes a different heritage. There is, I repeat, an age in which the benefits to be gained from physical education are especially emphasized; an age when the girl and boy may easily be trained side by side; when the consciousness that she has performed a difficult feat may be unalloyed pleasure to the shyest little maid, and when the hope of emulating her cousin

or her brother will add a legitimate zest to her endeavors, as surely as it conceals the fact that she is hoarding up treasure for herself. But this training must not be careless. "It is a science, not a mere rude art." It will cost more money and more thought to provide proper physical instruction for this child of seven, than for that daughter of seventeen. The teacher to whom is trusted the education of those easily overtaxed muscles, the strain upon that tender heart, must be far more cautious and skilful than he who supervises the exercises of a girl older or less eager, who knows when she is tired, as children never do. But the result: A fine, muscular adjustment, an educated nervous system; the previous development of girl into woman checked, with a direct gain to the individual and to the race, provided marriage be correspondingly delayed.

There is a time for all things, and the majority of our mistakes come, perhaps, through confusing the varied seasons and their due fruition. We insist upon berries in December, only to lose their zest in June; we send our children to hot-house assemblies at five, and a flirtation is dull at fifteen; we gorge them with grammar and the catechism in their boyhood, and make up for our indiscretion a score of years later. For all drafts drawn upon the bank of humanity are, at last, payable in the coin of the nervous system; which is neither infinitely expansible nor inexhaustible. We must therefore wisely time our demands to meet existing needs.

From babyhood, through seven or eight years, the child should vegetate; gain its stomach and teeth, its unstriped muscle and its sympathetic nervous system; from seven to twelve, we may educate and strengthen striped muscle and sinew, while the brain work demanded is earnest and short. "Strenuous diligence during school hours, and the maintenance of a high standard as to the quality of the work exacted, are on the side of nervous health:" provided, that, like medicine, the dose be proportioned to the age, and in inverse ratio to the physical training which should accompany it. From twelve to sixteen, should be brought the natural unfolding of the emotional instincts, the diversion of consciousness from self, and a physical regimen which will not infringe upon the evolution of the special organs that are, through these years, in process of development. Ten hours, at least, of sleep, two hours of mild, physical culture, in the open air, if possible, and the pursuit of studies which shall give vent rather than repression to the

newly awakened feelings, will go far to arrest the catastrophes imminent at this period, and to insure girls against them, in whom the previous five years have been devoted to the building up of a sound, nervous system.

The critical years passed, the student should be prepared to enter upon intellectual pursuits, and to subordinate the direct growth and training of the body to that of the brain itself. "Life is longer, vitality more tenacious in women than in men,"— so the word comes from all our co-educational institutions that they bear the present strain as well as their brothers, and they might be able to hold their ground in the class-room with the added pull of a craze for athletics; although it is doubtful if for them is to be feared the temptation to accord to athletics a more absorbing allegiance than they are ready to give to mental pursuits. Women will never, as a class, vie with men for the honors of the ball field or the lacrosse ground, and since, to stand side by side with the other sex in the race for existence is now their legitimate aim, they will not yet waste their force in paths which will only end in defeat.

"I question the propriety," says Julian Hawthorne, "of making health the deliberate object of exercise;" and he proceeds to show that the winning of a race, or the thrashing of a senior bully, are more potent incentives to daily training than any hope of being strong, merely for the sake of strength,"— and I think many college girls will agree with him, and confess that being denied the incentives of a possible public appreciation, they have too often found the obligatory swinging of clubs and clashing of dumb-bells a labor of duty, from which they have turned, not refreshed but fatigued.

One of the especial dangers to which young women are exposed, in their own colleges, comes from the wear and tear of institution life; from the frictions and jealousies incident to a community made up of individuals of a single sex, debarred from any free interchange of thought and feeling with the outside world. Enforced physical training will not meet this difficulty, and the gymnasium must not be substituted for recreation. It is only adding one more ground of competition between the same rivals, one more line of action in which the perfection of the *me* centres the girl's interest upon herself; and it is not possible to remedy this personal phrase, by substituting class or institutional rivalries,

without creating the same dangers and difficulties which are felt to be imminent for young men. If a gymnasium, therefore, is contemplated in any collegiate institution for women, may it not be wisely urged that it be limited as follows, — and if our own thought has been justifiable, will not the same restrictions eventually prove admissible and advisable in colleges everywhere?

(1.) Create a Chair in each college faculty, to be filled by a competent Professor of Physical Culture.

(2.) Require that a certain physical standard be made a necessity for matriculation.

(3.) Demand that enforced attendance in the gymnasium be founded upon the needs of the individual.

(4.) Subtract the time given to enforced gymnastic exercise, from the hours assigned to study.

(5.) Encourage voluntary athletic work in the gymnasium, and in out-door sports, as a recreation.

V. ON THE HIGHER EDUCATION OF WOMEN IN GREAT BRITAIN AND IRELAND.

BY MISS LOUISA INNES LUMSDEN.

(Read September 9, 1884.)

The Higher Education of Women in Britain is of too recent a date to allow of much obvious result from it being yet apparent. If I am asked what is the outcome of the movement, what use women are making of this education, and how they are adapting themselves to new positions and new responsibilities, I have but scanty information to give in reply. That there are now women graduates of the University of London, one having obtained the degree of Master of Arts, and another that of Doctor of Science, perhaps the most distinguished the University can grant, not to speak of more than sixty who have taken the B.A. and B.Sc. degrees; that there are women graduates, in all but in name, of Cambridge and Oxford; and that many of these women are doing good work as Head and Assistant Mistresses in the girls' schools which are springing up all over England, or as Lecturers in the colleges and halls for women at Cambridge and Oxford; that a considerable number of women have entered the medical profession, and a few the legal; and that a vast amount of public work, philanthropic and other, is being done by women — these are the bare facts. This is the outcome which we at present see, and considering that it is hardly more than thirty years since the movement for educational reform began, it is a satisfactory result. But is this entirely the result of Higher Education? Certainly not. The fact is that it is difficult to view Higher Education alone, separately from that general movement of which it forms a part — that wave of progress, which is gradually changing the position of women in our modern world, and bearing them — and with them, I would fain hope, the race — up to a loftier standing ground.

It is natural that in an age of high civilization and refinement the question of the position of women, social and political, should assume new importance. The influence of women is in such times recognized as being a weighty factor in the constitution of society. History gives us parallel cases. The present movement is essentially a popular and liberal one, the natural product of a liberal age, and the prominent place held in it by education is a hopeful

sign. It shows a recognition of the duties and responsibilities which a larger freedom brings. The liberty which women are seeking is in truth not liberty selfishly to serve themselves, but liberty to serve with free, unhindered powers, every just, and noble, and pure, and merciful cause. The right they claim is a right, not of enjoyment, but of service.

> "True freedom is to share
> All the woes that others bear."

If they sought freedom in another spirit, if they were like the women of the Roman world, in the later days of the Republic, or under the Empire, who had succeeded in practically emancipating themselves from the barbarous bondage of their legal position, but had, unhappily for themselves and for the world, gained no corresponding freedom from the low moral ideals of their time—the enlarged freedom they claim might well be dangerous to the community. Many people do, undoubtedly, dread it, at least in the political sphere. Yet it is, I think, even now, to some extent, acknowledged, both on theoretical and on practical grounds, that it is earnestly to be desired, for the common weal, that the influence of women should be more freely exercised, more deeply felt, both in the social and political spheres — though the how of its exercise in the second, may still be matter of discussion. And it follows, of course, from this, that the right education of the women who are to wield this influence is of enormous importance for the world. It is precisely this importance which is dawning upon our age. Yet it is, of course, nothing new. If women are, as has been often pointed out, the first educators of the race, what more important than that they should themselves be educated in the fullest sense of the word ? On every ground, therefore, both for the new duties and for the old, the need of educating women is beginning to be recognized.

Even were this not so, were the education of women not a matter of practical public importance, women have, of course, in the abstract, a right to enter freely into the world of knowledge. That the love of Knowledge or of Truth is inborn in some minds, in women as well as in men, that it is indeed a divine gift, who can question, and on what ground can its satisfaction be denied to women? It was, I think, a saying of the late Professor Jevons, that it is the happy fact that this love of Knowledge is an inborn

possession, which has saved the education of women in all ages from being utterly sterile of good. But through the want of method and training, power has been endlessly wasted, and bitter disappointment and dejection have often been the sole reward of honest effort. It is this want, above all, which true Education supplies.

As regards the matter or subject of education, we must allow that in Britain — I do not know how it may be in America — a vague sort of idea still survives that the nature of women is in some mysterious way complemental to that of men, and that the education of the sexes should therefore be complemental also — so that, as Miss Emily Davies once remarked, it almost seems as if what is good for a boy must be bad for a girl, and *vice versa*. A pleasant variety, we are told, would thus be secured. Discord would be, I think, the more natural, and is very often the actual result. No doubt, if we could at will work with another person's mind, and see with his mental eyes, it would be amusing and refreshing that the furniture of his mind, and his way of looking at things should be as different as possible from our own. But, since we stand each "on our attainment," has not each individual to round his own life and complete his own culture as best he can? Happily for men, as well as for women, the complemental theory is dying out in England, and the old and sounder belief in liberal culture as good for all is yearly gaining strength.

I say the old belief, for the complemental theory is a curious modern fancy. It seems at least probable that some 200 years ago, girls shared more equally in the then existing means of education than until very lately they have done in our times. The boys and girls of the upper classes seem generally to have been taught together by tutors at home, and in the middle classes they doubtless attended the mixed schools, which still survive here and there, notably in Scotland, and which are, I believe, common in parts of America. No doubt, however, the standard of culture actually attained by girls was as a rule, low. A woman's life, then, like that of German women now, was too full of household duties to allow time for study after the years of early girlhood were over. But, whatever was the worth of the old education, it had been lost to girls, partly through the exclusion of girls from the benefit of endowments, and partly too, no doubt, from the indifference of parents, the general belief that, as Mr. Tulliver puts it, "overcuteness was no gain for a little lass."

Another cause for the gradual withdrawal of girls from the mixed schools was probably the roughness of manners prevailing in them. I know, at least, that this has been, and still is, the case in Scotland. But the true cure for this roughness would be, I believe, not to withdraw the girls, but to introduce into the schools refined and cultivated women as teachers. This, I understand, is the American plan, and this brings me to another point in my subject, the double good resulting from the system of High Schools now established in England. Not only do girls now receive a sound education in these schools, preparing them for University training, but when, in its turn, their University career is gone through, they can find at once, if they desire it, honorable and independent positions as Head or Assistant Mistresses, or Lecturers. The case is different in Scotland. A strong prejudice exists there against women teachers. They are employed sparingly, and, as a rule, in subordinate capacities only. The prejudice has a respectable foundation. The Scotch have never been indifferent to the claims of education, even for girls, they have always been determined to have none but qualified teachers, and as no woman was actually qualified by learning or University degree, it followed that they would have no woman teachers in responsible positions. Prejudices die slowly. England, once behind Scotland in the secondary education of girls, is fast going ahead of it. Here and there in Scotland good schools may be found. But, in general, girls schools in my country have hardly yet felt the influence of reformed ideas. Scotchwomen who have gone through University training, are compelled to look almost entirely to England for a worthy professional career. And if they miss the work, the work misses them. Nothing can compensate a girls' school for the want of the refining, educating influence of a high-minded, highly cultured woman at its head.

Under the reformed system in England, women are more and more employed in schools. The "Establishment for Young Ladies," in which "the best masters attend," is happily becoming rarer. Reform was certainly urgently needed. Until lately, English schools for girls of the upper classes were, as a rule, beneath contempt. No wonder that quiet, old-fashioned people have even now a horror of all schools. And middle class girls' schools hardly existed at all. All this is changed, sound training is given, good work is done, and the only want which is not yet

adequately met is that of good boarding schools for country girls. High schools do not meet the needs of dwellers in the country, and it can hardly be denied that, as one consequence of this, the daughters of the landed gentry bid fair to become the worst educated class in the community.

The need of a public examination to test the work done in girls' schools by a recognized standard, was felt from the beginning of the movement for reform. The gain, therefore, was great when, in 1865, the local examinations of the University of Cambridge were first extended to girls, in answer to a petition presented to the Senate, by a committee which had been formed to obtain the admission of women to University degrees in Arts and Medicine. Since then the Oxford and Cambridge Schools Examining Board has also extended its examinations to girls, and there are besides the examinations of the College of Preceptors, and the Cambridge Higher Local Examinations, first held in 1869. Doubtless this list is not exhaustive. There is indeed no lack of examinations, and, to say the truth, no little danger in consequence of cram and overwork. A few years ago vehement complaints were made, both by parents and physicians, on this score. And, allowing for exaggeration, and even unfairness in the charge made, it must be granted that these dangers are real and serious. It is not so much that mistakes have been made. Probably some mistakes are inevitable at first, even in an educational reform. It is that the reform has not been an all round one. The defectiveness of the old system, as regarded physical training, was not sufficiently recognized. If a painter can't "paint soul," as Lippo says, "never minding the legs and arms," can a teacher afford not to mind them — dare he "forget there's such a thing as flesh?" But the cure is not stopping the work. Far less is it to return to the old system of dreary rote learning, petty rules, perpetual surveillance, cramping body and mind. It is, as nature herself teaches, simply begining to play. Play is, according to Richter, "the first poetry of the human being." Not physical education so-called, not gymnastics, excellent as they are too in their place, but play. Play braces muscle and nerve, refreshes the brain, supplies a moral training of incalculable value. I speak out of the experience of many years, first as a student, then as Resident Tutor at Girton College, and last as Head Mistress of a girls' school. The best games are, I believe, rounders and cricket.

Tennis is of course a splendid game, but too few can play at once to make it the best game for children and schools. Every school should have its playground, some already have. Head and Assistant Mistresses cannot do better than join in the play — but simply as members, not as directors. The girls should organize, their chosen leaders should command — it is excellent training for the work of life. And they should wear suitable garments — else play with its possible overheating and exposure to weather, may be actually dangerous — woollen, light-skirted, easy-fitting, in which the limbs have perfect freedom. I do not think that the value of play has been yet recognized heartily or widely enough by our school mistresses. For my part, I believe that the moral and physical gain directly derivable from the Higher Education — since real work, to be harmless, necessitates real play — is of as much value as the intellectual gain itself — or even of more value. Is not Education harmonious development — moral, intellectual, physical? And are modern women so strong that the real fear is lest they should become, like the bodyguards of the Princess Ida,

> ——— "mighty daughters of the plough,
> Huge women, blowzed with health" ———;

I could almost wish it were!

Play is the antidote to overwork on the physical side. On the mental, I believe, the best is resolutely to cut down the number of subjects taught in our schools. Their multiplicity is simply overwhelming. What should go, or what can at least wait, I do not venture to suggest here. But let anything go rather than train our girls, first at school and later at college, to hurry from subject to subject, skipping here and cramming there at the dictates of this or that examination, and learning, as Bacon said long since, nothing save to believe "that they know that which they know not, impatience to doubt, temerity to answer, glory to know, seeking things in words, resting in part of Nature."

It is on the school foundation, after all, that the Higher Education is built, and if our girls go up from school to the Universities sickly and overworked, what gain is reaped from all our labor? They should go up fresh, body as well as mind in the highest condition of efficiency. Doubtless many do. Still I think reform on the physical side is not yet nearly so universal or so thorough in our schools as it ought to be.

I cannot attempt in this paper to go into the details of the history of the movement for Higher Education in Britain. I am assured, besides, that the subject is familiar to my audience. Yet I wish I could have dwelt for a moment upon the benefits conferred upon women by the University of London. It is thanks to the liberality of that University, in throwing open in 1878 all its Examinations and Degrees to women, that in the many colleges throughout England and Wales, which now prepare students for those Examinations and Degrees, women are received on an equal footing and share every advantage with men. Perhaps I should except medical training, the London School of Medicine for Women being still, I think, the only Institution in England where women can obtain instruction in Medicine and Surgery, and qualify for the London Medical Degree.

To University College in London the praise is due of having first made what was then thought the daring experiment of mixed classes of men and women — an experiment which has succeeded admirably. The Victoria University has followed the liberal example of London, and as a direct consequence of this, women can now receive instruction in the Owens College in Manchester — those who have passed the Matriculation Examination of Victoria in the same classes with male students. I should have liked too to speak of the great concession made by the University of Cambridge in opening its course for Honor Degrees to students of Girton and Newnham Colleges, and of the similar, but as yet, less complete step more lately taken by Oxford; of my own old College, Girton, whose early struggling days at Hitchin I so well remember; of Newnham, younger sister and friendly rival of Girton in tripos and on tennis green; of the new Halls at Oxford, Somerville and Lady Margaret's, doing in Oxford the same work which Newnham does in Cambridge — but time forbids. Of Ireland it must suffice to say that the Royal University is as freely open to women as is that of London, and that it counts already more than one hundred women members, although the first set, so recent was the concession, will not have had time to graduate until next month, October, 1884. The University of Dublin is, however, still closed to women. For the degrees of the Royal University, women can prepare in the Alexandra College for women in Dublin, or at the Queen's College, Belfast; and, no doubt, the colleges in Galway and Cork would also be open to women if there too entrance was sought.

In Scotland the action of the Universities is less satisfactory. It is hoped that a change is even now impending. Probably the new Universities' Bill will give power to the Universities to admit women to Matriculation and Graduation. It seems strange that the interference of Government should be necessary to legalize the admission of women to Universities founded on the model of those in Italy, in which, as every one knows, women have been not only students but even professors. So unfortunate, however, has been the course of events during the last fifteen years, that we are assured that Government alone can cut the knot. In the meanwhile useful work is being done in Edinburgh by the Association for the University Education of Women, and in Glasgow by the Queen Margaret College. The L.L.A. Examination and Certificate created for women by the University of St. Andrews, meeting the wants chiefly of women who study at home, is a help to many a solitary student. But one flaw is everywhere apparent — the uncertain value of the special certificates granted to women. Not the degrees themselves, as in the London Victoria, and Irish Universities; not even the same examinations under the same conditions as to undergraduates, as at Cambridge and Oxford; but something corresponding, something the value of which cannot be exactly estimated, something which is actually inferior in market value to what can be gained in England — is granted to women by the Scottish Universities at present. Women in Dundee alone have more satisfactory opportunities. To the new College there, founded by a woman, women are freely admitted, as to the English provincial Colleges, and it will be open to them to study for the degrees of the University of London. Remembering the belief in the ordinary Scottish mind that women are incapable of filling high positions in the scholastic profession, it seems specially hard on Scotchwomen, that the fact of the degree course in the Universities being still closed to them should perpetuate this prejudice.

Recent as the movement for Higher Education is, a good many fallacies about girls and women have been cleared away in the course of its working. First, there is the greatest and most dangerous fallacy of all, that hard study is specially hurtful to the health of women. The same people who will without protest see women guilty of all sorts of follies — pinching their waists to suit a false ideal of beauty, sauntering with cramped, ungraceful gait

instead of walking, because skirts are too narrow and too weighty to allow of free, graceful motion, and doing fifty other wrong and silly things in obedience to fashion — are seized with virtuous indignation when other women take to intellectual work. Study is at once, in their eyes, to blame for every ill. But this outcry is beginning to subside, and it has even been pretty well accepted that work in moderation is actually wholesome. One may still however hear the plea put forward in defence of excluding women from high examinations and degrees, "The best women would be killed." For people who hold this belief I would prescribe a course of visits, first to a few schools, where the value of play is, I need hardly say, recognized, and then to Girton and Newnham. The sight of so many happy, healthy, young faces could be trusted to convert any honest doubter.

A second fallacy is that this or that "hard" subject is unsuitable for women. What subjects are feminine and what masculine? Botany, for some inscrutable reason, used to be considered a specially feminine subject. Practically this question has solved itself. Another fallacy was that women worked faster than men. No doubt under this seeming compliment lurked the popular belief in the essential shallowness of the feminine mind. Shallowness and inaccuracy having been laboriously produced by so-called education came to be looked upon as innate. Experience very soon showed that there was no difference whatever as to speed in men's and women's work respectively, though of course individuals varied. With regard to the charge of shallowness brought against girls, it may be interesting to notice that in the last Report issued by the Cambridge Senior Local Examiners, we are told that in essay writing the boys as a rule showed more observation, imagination, and enthusiasm than the girls, while the girls were superior in simplicity and directness of style, in thoroughness of treatment, avoidance of generalities, and in a "painstaking and generous fairness of mind which was very striking." I quote this Report only as showing how false are popular theories about the shallowness, unfairness, &c., of women, not because I think it particularly flattering to the girls. Observation, imagination, enthusiasm are gifts full of promise for future life. Yet even here must we conclude that this inferiority is due to Nature? May it not be due to special causes at work in a girl's life? A girl almost always has some home duties to perform — to mend her own and others'

clothes, mind the younger children, help the mother in a hundred little ways. She has few or none of those leisurely moments which come frequently enough to boys. And these are the moments, I think, in which observation and imagination work unhindered, and enthusiasm is born of reverie. I believe it would be good for both girls and boys to share home duties more equally. Let the boy know something of the joy of unselfish service, and the girl more of that divine leisure which is the nurse of genius.

One fallacy more, that if girls are allowed to play as boys are they will become rough and unladylike. There could be no more ridiculous mistake. I can testify from five years' school experience that play actually helps good manners. The reason is simple. Self-control, fairness, good temper are essential to play. If these fail, it fails. And are not these the soil out of which courtesy naturally springs? Not to speak of the promotion of health by play. Are not ill-temper, selfishness, peevishness often the mere result of ailing health? And do they produce good manners?

To conclude. The value of Education is beginning to be fully recognized among us. Cultivated men are in general showing a generous eagerness to share with women all the advantages which they themselves enjoy. Young men in particular are often strikingly liberal minded. I have heard of some who out of a moderate income, gained by their own labor, have aided sisters to obtain University and Medical training. But the old idea that education is necessary for teachers only, "for women who are obliged to work for their living," as the phrase goes, as if work were not a blessing, and idleness and dependence a curse — dies hard. The fact is that we are yet in a transition state. Old-fashioned portions of society, the conservative and moneyed classes — the landed gentry, for instance — are as yet almost untouched by the new ideas. It is felt among them that sons must push their way in the world. There is perhaps not enough of money for the education both of sons and daughters, and it is taken as quite a right and every-day arrangement that the girls should go to the wall. And they are told that this is only fair, since they have not to work for their living, while their brothers have. But what is the truth? Girls are not expected to work, granted, and so they are not trained to work and independence. But they *are* expected to gain a livelihood by marrying. A worthy ideal of marriage, indeed, it must be confessed! Or, if they do not marry, they

must know how to starve and pinch in respectable poverty and vacuous dulness, without loosing caste as gentlewomen. This is the ugly reality underlying the fair show of society, and it is the loss of this which people sentimentally affect to dread and deprecate — as if with this miserable pretence would go the truth and sweetness of the womanhood so outraged in the name of propriety and respectability. The mistake is to regard paid work as derogatory to the dignity of a lady. Why should it be less honorable for her to live by her own labor, than by that of her father, not to speak of being dependent on a brother, or other relation? Everyone makes money somehow, the peer and the squire, who live by their rents, as much as the artizan and the dressmaker. The simple cure for the evil is to accept capacity for any work, not compelling poverty, as the only right reason for undertaking the work. We must let patience and education have their perfect work. Slow and reluctant as are our upper classes to learn, they will grasp the fact in time that education is a good in itself, and that there is no work to which a human being can be put in office, or shop, or house, or nursery, or farm, or factory, in the doing of which trained and developed capacities will not help man and woman. Capacity to do philanthropic work, above all, depends much on training, as endless mistakes made by would-be Lady Bountifuls show. Yet it is to work among the poor that young, untrained, inexperienced girls are constantly put! I suppose it is thought that the employment, if useless, is at least harmless. My school experience has taught me that it would be a great gain if all girls could look forward to a possible professional career. Not that all need enter it, or even go on to the technical preparation necessary for it; but that it should be an every-day thing to enter a profession, and that to be capable of entering it should be considered honorable and desirable. Some girls do not need this stimulus, but many do. It would steady them, deepen their characters, and make them — not a whit less bright and charming and loveable, but more so, because more truly womanly.

The arguments against professional careers for women seem to me mostly of the kind given not long ago by a certain poetical M. P. against women's suffrage — "Women are the silver lining which gilds the cloud of man's existence!" As for more practical and intelligible reasons, difficulties would, under fair trial, solve themselves.

To return to our main subject. Of one thing, I think, we may be sure, that Education is the only influence — not even excepting religion, for to define the term religion would lead us too far a-field — which can stem the dangerous symptoms of our age (in my country, at least), the fastness which is its most unlovely product, the unbounded luxury and vulgar ostentation of wealth, the lack of high ideals, the proneness to saunter through life with, at the best, a mere æsthetic enjoyment, and that shallow scepticism at second and third-hand, affected by people haunted in truth themselves by no "obstinate questionings," but who catch up, parrot-like, the current phrases, like the fashions of the day. For the aim of true education is surely that man and woman may grow alike

"Not alone in power
And knowledge, but from hour to hour
In reverence and in charity."

ADDITIONAL PAPERS OF THE JURISPRUDENCE DEPARTMENT.

I. THE LAW FOR THE COMMITMENT OF LUNATICS.

BY F. H. WINES, SECRETARY OF THE ILLINOIS BOARD OF PUBLIC CHARITIES.

The publication by Mr. George L. Harrison, of Philadelphia, at his own personal expense, and the gratuitous distribution of a work prepared, under his supervision, at great cost, entitled "Legislation on Insanity," has made it possible for me to present a brief summary of the laws relating to the commitment and detention of the insane in all the States and Territories of the Union. Mr. Harrison's book, for which he deserves the thanks of all who take an interest in the condition and treatment of the insane, purports to be "a collection of all the lunacy laws of the States and Territories of the United States, to the year 1883, inclusive, also the laws of England on insanity, legislation in Canada on private houses, and important portions of the lunacy laws of Germany, France, etc." In the following digest, I have not gone outside of this book, to consult original authorities, but have based my statements upon his researches.

Public interest on the subject of insanity centres in the inquiry: Under what circumstances and by what methods may an insane man be deprived of his personal liberty? How must the necessary proceedings for the commitment of lunatics be conducted, in order to guard against the incarceration of sane persons falsely charged with insanity? What precautions need to be taken to prevent the improper detention of persons, sane or insane, who no longer require the restraints of an insane hospital or asylum? As will be seen, the answers given to these questions in the statutes of different States are very varied, and for the most part, too vague to be satisfactory. The laws of Illinois are peculiarly open to criticism, and call loudly for revision and amendment.

Insanity, in the medical sense, may exist, where there is no necessity for the commitment of the insane person to any institution for the insane (since he may be as well or better cared for elsewhere), and no justification for any restraint upon his actions,

(since he is in no danger of harming himself or others, if let alone). Insane persons may be disqualified for the transaction of business and the care of their property, and yet require no restraint. Where the commitment of any insane person to an institution is requisite or proper, it must be because the character of the manifestations is such as to imperil the community; or because the patient is himself in danger, if allowed to go at large; or because there is hope of his restoration, if treated in a hospital; or because his commitment will promote his comfort, if incurable. He may have no home, or his remaining at home or in an almshouse, if a pauper, may be manifestly a hardship both to himself and others, whose interest must also be considered. For an insane person, although not dangerous, may be very troublesome and disagreeable, so much so as to render the depriving him of his liberty a less evil than his freedom to annoy others, who cannot escape from his presence, would be. In the legislation of the several States, these principles are more or less clearly recognized, but not always grasped, apparently, in their full extent. The double purpose in the commitment of lunatics — their own good and that of others — is well stated in Rhode Island, where it is defined to be "either for cure or restraint;" and in Maine, where any insane person may be committed to the hospital, "whose comfort and safety, or that of others interested, will be promoted." In North Carolina, the finding of the inquest must be that the person adjudged to be insane "is a fit subject for an insane asylum, and that his being at large is injurious to himself and disadvantageous if not dangerous to the community." But in many States, the wording of the law is far less comprehensive.

Definitions of Insanity.

The statutes of several States contain sections in which an attempt is made to define insanity, as follows:

"A person shall be considered of sound mind who is neither an idiot or lunatic, nor affected with insanity, and who hath arrived at the age of fourteen years, or before that age, if such person know the distinction between good and evil."

"The term lunatic shall be construed to include idiots, insane and distracted persons, and every person who, by reason of in-

temperance, or any disorder and unsoundness of mind, shall be incapable of managing and caring for his own estate."

"The term 'insane,' as used in this act, includes any species of insanity or mental derangement. The term 'idiot' is restricted to persons supposed to be naturally without mind."

"The words 'insane person' include idiots, lunatics, distracted persons and persons of unsound mind."

"The terms 'insane' and 'insane persons' include every species of insanity, and extend to every deranged person, and to all of unsound mind, other than idiots."

"The term 'insane' includes every species of insanity, but does not include idiocy or imbecility."

"The word 'lunatic' shall be construed to include every insane person who is not an idiot."

These definitions make one think of the two famous conundrums: What is mind? No matter. And what is matter? Never mind. A person of sound mind is one who is not a lunatic, and a lunatic is one who is not of sound mind. A lunatic is an insane person, and an insane person is a lunatic. Idiots are sometimes lunatics and sometimes not, according to the State in which they reside. Where a distinction between insanity and idiocy is expressed, as in Ohio, Kentucky and Iowa, idiocy is wrongly defined. One definition of insanity is required, where the insane person is to be committed to a hospital, another where he needs to have a guardian appointed, and a third where he is on trial for crime. Accordingly, some States have more than one definition, as in Minnesota, where contrary definitions are given.

Classification of Insane Persons.

The definition of insanity, either in a medical or in a legal sense, being a task of such difficulty, it is not surprising that there should be found to be also a great variation in the subdivision of the insane as a class. It is usual to describe specifically what classes of insane persons may or may not be received into the institutions for the insane created and maintained by the State. Idiots are excluded in Arkansas, California, Dakota, Illinois, Indiana, Iowa, Kansas, Maine, Nebraska, Texas, Utah, Vermont, West Virginia and Wisconsin. In Kentucky, pauper idiots are excluded, unless the jury find, by their verdict, that they are so

dangerous or so uncontrollable that they cannot be safely and properly kept within the county. But in Florida, Georgia and South Carolina, they are expressly included in the classes for whose benefit the asylums are established; and in Ohio, by implication, in the words, "all insane persons over the age of seven years." Epileptics are excluded in Arkansas; and in Kentucky, if not otherwise insane. They are expressly admitted in Georgia and South Carolina. In many states, the question whether the patient is epileptic must be determined at the inquest, or answered in the certificate of the physicians by whom the patient was examined. Persons suffering from any contagious or infectious disease are rejected in Illinois, Kansas, Missouri, Texas and Washington Territory.

Demented inebriates are admitted in Georgia. The definition of a lunatic in Colorado includes them. Habitual drunkards may be sent to the asylum in Kansas. The law in New Mexico is not specific as to this point, but will bear a similar construction. Persons temporarily insane by reason of the intemperate use of intoxicating drinks may be committed to the Western Pennsylvania Hospital for the Insane (Dixmont), until such temporary fit of insanity is cured. But in California, the admission of any case of delirium tremens or acute mania-a-potu is forbidden, as it is also in Utah. Both in California and Utah, the reception of any case of harmless, chronic, mental unsoundness is prohibited. There is a like provision in the law of Wisconsin, to the effect that no physically infirm or mentally imbecile person, not deemed to be dangerous when at large, shall be committed solely because of such infirmity or imbecility.

The State of Arkansas forbids the removal of any insane convict from any penal institution to the State lunatic asylum. The law in most States provides for such removal. In New York and Michigan, special asylumns for the criminal insane have been established.

The admission of pay-patients is authorized in nearly all the States. But the institutions of Illinois, Indiana, Ohio, Wisconsin, Minnesota, and Mississippi, are open to all residents of those States, free of charge. Non-resident patients are excluded from the State institutions for the insane in California, the District of Columbia, Tennessee, Utah, Virginia, and West Virginia, but with some exceptions. The admission of patients from other

States is authorized in Alabama, Georgia, Illinois, Kentucky, Nebraska, and South Carolina.

In some of the States, it is provided that if, for want of room or any other reason, it becomes necessary to discriminate in the admission of patients, a certain order of selection shall be observed. The preferences expressed relate (1) to recent and curable cases, in Alabama, Arkansas, Dakota, Illinois, Indiana, Iowa, Missouri, Nebraska, Ohio, Pennsylvania, Texas, and the territory of Washington. By recent cases are meant those of less than one year's standing. (2) To the indigent insane, in all the States just named, except Arkansas, Illinois and Ohio, with the addition of North Carolina. (3) To the order of application for admission, in Dakota, Indiana, Iowa, Nebraska, and Ohio. (4) In Illinois, violent, dangerous or otherwise troublesome cases have the preference over those of an opposite description. Similar distinctions are made in the matter of the retention and discharge of patients.

There are few if any States, in which the provision made for the care of the insane in public institutions is adequate to the demand. Hence it is necessary to ordain rules for securing to each portion of the State its equitable share in the benefits of the existing institutions. This end is reached in two ways: first, by districting the State, geographically, where there is more than one institution; and second, by assigning to each town or county its legal quota of inmates, in proportion either to the insane population or to the total population. Districts have been established, and their boundaries defined, in Illinois, Kentucky, Michigan, New York, North Carolina, Ohio, and Pennsylvania. In Virginia, commitments are made to the nearest asylum. In Kansas, all of the State institutions of a benevolent character are under the government of a single board of trustees, and the board designates the superintendent of one of the insane asylums, to whom all applications for admission must be made; this superintendent determines, under rules established by the trustees, to which asylum each applicant shall be admitted. In Iowa, the superintendents of the two hospitals and the governor of the State adopt regulations in regard to what patients or class of patients shall be admitted to the respective hospitals, and from what portion of the State patients may be sent to either of them. In Michigan, the boards of trustees of the different hospitals meet in joint session, for the adjustment of all questions which may arise pertaining to them.

Legal Aspects of the Question.

Where the insanity of any person is of such a description that no necessity exists for any interference with his freedom of action, the question of his condition may be regarded as a purely medical question, as in the case of any other disease. The treatment of ordinary diseases is left entirely to the physician, without the intervention of a court. But insanity is not an ordinary disease. Its peculiarity consists in its tendency to unfit its victims for the maintenance of normal social relations. It is often indispensable that the insane man should be, to a greater or less extent, deprived of his personal freedom. His right to the control of his person and estate is involved in the decision of the question of his sanity. It is not merely a question of insanity, but of custody, and that is not a medical but a legal question.

No man can be rightfully deprived of his liberty, otherwise than by due process of law. Commitment to a hospital or asylum for the insane, however we may gloss it over, is deprivation of liberty. It is to be shut up under lock and key. It is to be subjected to liability to undergo painful discipline, at the will of another; the discipline of the camisole and the muff, for instance, if the medical officers of the institution deem such treatment important or judicious. It is to have no assurance of any termination to this irksome confinement; for there is no patient who may not have to remain in custody for the term of his natural life, if no improvement takes place in his condition. It is to be cut off in a large degree from the companionship of friends not only, but from their present and active sympathy, and even, in many cases, from their very remembrance. That such deprivation is unavoidable, that it is proper, that it is beneficial, does not render it less painful, nor change its essential nature.

But what is due process of law? Is it a private agreement between the friends of the patient or his attending physician and the authorities of the hospital? Or is it a judicial inquiry and a solemn, responsible decision by a court, based upon evidence?

It is the right of every alleged lunatic to protest against a judgment which would consign him to imprisonment and give the control of his property to another. It is his right to have notice and a hearing. Not even the right to have his case passed upon by a jury can be lawfully taken from him. If he is not capable of entering any protest, nor of appreciating or insisting upon his

rights, as patients in acute mania or a state of dementia are incapable, so much the worse for him. But this is not the state of doubtful lunatics, and it is for their protection that the arm of the law is made strong.

Classification of States.

Roughly speaking, the States and territories may be divided into four groups, as follows: (1) Those in which insane persons may be committed without even the formality of a medical certificate of insanity. (2) Those in which, for the reception of the patient into the hospital, a medical certificate is required, but not the order of a court. (3) Those in which a judicial inquisition into the fact of insanity is a necessary pre-requisite to the patient's commitment, but such inquest need not be by jury. (4) Those in which trial by jury is obligatory and indispensable, and the verdict of the jury is the warrant for the action of the judge.

Actually, it is impossible to discriminate thus sharply between different States, since the insane are in many of them sub-divided into classes (particularly into the self-supporting and the non-self-supporting), and the processes of commitment vary according to the class to which the individual patient belongs. It is perhaps worthy of notice, that wherever there is more than one mode of commitment provided, in any State, the easiest method is always prescribed for persons possessed of real or personal estate, in apparent forgetfulness of the palpable fact that the inducements to seek for their incarceration, and the chances of injustice and injury, are far greater in the case of the rich than of the poor. Not only so, but the likelihood of their discharge from an institution, after commitment, is less. That this should be so, argues that the framers of the statutes had in mind chiefly, if not solely, the question of liability for the support of the patient in the hospital or asylum; and that, since persons in independent circumstances are able to pay their own way, no necessity is believed to exist, in their case, for any reference of the question of the patient's insanity to any tribunal for judicial investigation and determination.

Commitment on Medical Certificate.

The thirteen States in which insane persons may be admitted into the hospitals, on the simple certificate of a physician or phy-

sicians that they are insane, are: Alabama, Connecticut, the District of Columbia, Georgia, Kansas, Missouri, New Hampshire, New Jersey, New York, Rhode Island, Tennessee, Texas and Vermont. In Kansas, for the admission of private patients, in addition to the medical certificate, a certificate from the probate judge that he has been "informed" of the insanity of the patient is necessary; in other cases he certifies that the patient has been "adjudged" to be insane. In Alabama, the District of Columbia, Georgia, Kansas, Missouri, Tennessee and Texas, admission on medical certificate alone is expressly restricted to pay-patients. In the other States named, this right is unrestricted; it extends to pauper patients committed by the persons having them in charge, unless in conflict with some other provision contained in the statutes.

In Connecticut, the certificate must be made within one week after the medical examination of the patient, and it must be presented within thirty days after it is made. In the District of Columbia, the request for admission must be made within five days of the date of the certificate of insanity. In Missouri, the certificate must be signed on the same day with the medical examination, and presented within two months. In New Hampshire, the committal must be within one week after the examination of the patient. In New Jersey, the committal must be within one month after the making of the certificate. In New York, the certificate must bear date of not more than ten days prior to commitment. In Tennessee, it must be dated within one month of the presentation of the patient at the hospital. In Vermont, it must be made within five days of the medical examination, and not more than ten days previous to admission to the asylum.

In New York, the medical certificate must be approved by a judge or justice of a court of record; and the judge or justice may (not shall) institute inquiry and take proofs as to any alleged lunacy, before approving or disapproving of such certificate.

Commitment without Certificate.

The States in which patients may be committed (so far as appears from the statutes), without either judicial investigation or medical certificate, are: Louisiana, Maine, Maryland, Mississippi, South Carolina and Virginia. In Louisiana, the board of administrators (trustees) is given authority to receive insane per-

sons, not sent to the asylum by a district or parish judge, on such terms and conditions as it may see fit to adopt. In Maine, parents and guardians of insane minors, if of sufficient ability to support them there, may, within thirty days after an attack of insanity, send them, without any legal examination, to the State hospital or to some other hospital for the insane. In Maryland, the provisions relating to judicial investigation apply to insane persons confined at the expense of the county or city; but nothing contained in the act shall prevent the friends or relations of a lunatic or insane person from confining him or providing for his comfort.

In South Carolina, inquests are obligatory in case of insane paupers; but the regency (trustees) must admit idiots, lunatics or epileptics, where their admission is requested under the hands of the husband or wife, or (where there is no husband or wife) of the next of kin of idiot or lunatic; and nothing contained in the act may be held in any manner to apply to the entrance of pay-patients into the asylum. In Virginia, on application for the admission of a person into an asylum, the examining board, if unanimous that he ought to be admitted, may receive him as a patient.

Commitment after Inquest.

The States in which provision is made for a judicial inquisition into the mental condition of persons alleged to be insane are: all the States except the District of Columbia (where commitments are made on the order of the Secretary of the Interior, based upon the certificate of a judge of the supreme court of the district or a justice of the peace, that two physicians and two householders of the district have made the required depositions before him), and Maine (where the municipal officers of towns are constituted a board of examiners, and their decision is final, unless an appeal is taken within five days to two justices of the peace and quorum).

The States in which no patient can be admitted to an insane hospital without a judicial inquest are: Arizona, California, Colorado, Dakota, Idaho, Illinois, Indiana, Iowa, Kentucky, Massachusetts, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Carolina, Ohio, Oregon, Pennsylvania, Utah, Washington, West Virginia, Wisconsin and Wyoming — 24. There is some obscurity in the law in the States of Arkansas, Delaware, Florida and Michigan, which renders it difficult to assign to them their proper place in the classification which has here been attempted.

In Michigan, the law appears upon its face to warrant no commitment without inquest; but there is an obscure section which reads as follows: "This act shall not be construed to authorize the confinement of any person in any asylum, except such person be expressly required by law to be so confined, contrary to and against the wishes of any parent or guardian, or other legal custodian of any such person, provided said board of trustees shall be satisfied such parent or guardian or legal custodian shall have sufficient pecuniary ability to maintain and support such insane person." It is possible that this section is designed to authorize the confinement of insane persons by their friends, if of sufficient pecuniary ability.

It may be seen that there is a close connection between the method of support of a State institution for the insane, and the form of inquest into insanity of the persons who are to be benefited by it. The more entirely the State assumes the pecuniary responsibility for its maintenance, the simpler the question of inquest becomes. If, in the first place, there is no distinction between the rich and the poor, but the institution is free to all insane residents of the State, there is no need for any investigation of the patient's pecuniary condition. If, on the other hand, the State insists that all who are able shall pay for custody and treatment, but it assumes the liability for all pauper and indigent patients, there is no necessity for dispute as to the patient's residence. The question reduces itself to the simple question of insanity. This connection is very apparent to a close student of the lunacy laws of the several States by comparison with each other. A further obvious relation exists between the law of inquest and that of settlement. The more complicated the law of settlement, the more involved the law of inquest must of necessity be.

The lunacy laws would be immensely simplified, if in each State there were but one mode of procedure, and but one inquest, for the determination of the patient's mental condition, irrespective of the end sought in such inquest, whether it be to commit the insane person to some institution, or make some other order for the disposition of his person, or whether it be to secure the appointment of a conservator of his estate; and if, further, the judicial inquiry provided for were made obligatory in all cases, irrespective of the patient's pecuniary condition.

Statement and Application.

The exercise of jurisdiction by the court usually is based upon a written paper filed with the court, which is variously known as the statement, or application, or petition, or allegation, or suggestion, or information, or complaint, or affidavit, or deposition, in which some person alleges his belief that some other person named is insane, and that action on the part of the court is necessary, for the patient's good or that of others. It may be remarked, in passing, that every term which suggests any analogy between proceedings in lunacy and criminal proceedings ought, as far as possible, to be eliminated from the law, as both unfeeling and misleading. For this reason, the term application or petition is preferable to information or complaint. The filing of the application may be voluntary or obligatory, official or unofficial. Application may be made, in the great majority of States, by any person; but in Arkansas, Indiana, Mississippi, Missouri, North Carolina, Ohio, Tennessee and Wisconsin, by any citizen. In Illinois, by any near relative, or in case there be none, by any resident of the county. In Delaware, by relatives or friends of the patient. In Vermont, by the wife, any friend or relative, or the overseer of the poor. In Oregon, by any two householders. In New Mexico, by a relation by blood or marriage, or by a person interested in the lunatic's estate. Application must be made, in Connecticut, for the commitment of pauper insane, by a selectman of the town; in Michigan, by the county superintendents of the poor, or any town or city supervisor; in New Jersey, by the township overseer of the poor. In New York, if the relatives or guardian of a dangerous lunatic, fail to confine him, it is the duty of the overseers of the poor, or constables of the city or town where such lunatic is found, to report the same forthwith to the superintendent of the poor, who must apply for his commitment.

In Kentucky all applications are by the attorney of the commonwealth, or, if he be absent, by the county attorney.

The purpose in making application by certain officials obligatory, is to insure the performance of an unpleasant duty, which might otherwise be neglected, and where the insane person is a pauper, to guard him against the consequences of official apathy and neglect.

In many of the States, there is no specific provision as to the place of holding inquest. Two views may be taken of the duty of

the judge, where the law is silent as to this point; either that the inquest is intended to be held at the court-house, the place where judicial business is ordinarily transacted, or that the judge has the right to use his discretion in this regard. The latter is the more humane interpretation, since there are cases in which the patient cannot be brought to the court-house without great hardship and risk. It is common to order that the patient shall be brought before the judge; but he is before him, if in his presence, wherever the judge may be.

In Illinois, the case must be tried in the presence of the patient. In Indiana and Wisconsin, if there is a trial by jury, he must be present. In Kentucky, no inquest can be held, unless the person charged to be of unsound mind is in court and personally in the presence of the jury; but his presence may be dispensed with, if two physicians make affidavit that they have personally examined him and verily believe him to be an idiot or lunatic, as the case may be, and that his condition is such that it would be unsafe to bring him into court.

In Massachusetts, the judge must see and examine the person alleged to be insane, or state, in his final order why it was not deemed necessary to do so. He has him brought before him, if in his judgment his condition or conduct renders it necessary or proper. In Ohio, if, by reason of the character of the affliction or insanity of the patient, it is deemed unsuitable or improper to bring him into court, then the judge must personally visit him and certify that he has so ascertained his condition by actual inspection, and all proceedings may then be had in his absence.

Certificate and History of the Case.

The medical evidence in any case may be either oral or written; but it is in nearly every State put in the form of a certificate, for permanent preservation, either in the archives of the court, or of the hospital or asylum. It is usually, but not always, a sworn statement of the opinion of the medical witness or examiner. The finding of the commission or jury, when it includes a physician, is a medical certificate. But for the information of the medical officers in charge of an institution for the insane, much more is desirable. Accordingly, we find that many States direct that an elaborate medical history of the case shall be prepared, at the time of inquest.

The advantage of this practice must be obvious. It is often very difficult for the medical officers to learn the particulars of the patient's condition, previous to admission; and no occasion is so favorable for obtaining the desired information, in the patient's own interest, as when the witnesses are all present and all the facts accessible fully brought out.

Special Qualifications of Physician.

In addition to the customary requirement that the physician who signs a medical certificate of insanity shall be respectable, reputable, of good standing, competent, a practitioner, a resident, etc., special qualifications are sometimes prescribed. In Montana, Nevada and South Carolina, he must be a licensed physician; in Arizona, California, Idaho, Massachusetts and New York, he must be a graduate of a medical college; in New York, he must have been in the actual practice of medicine for at least three years, but in Pennsylvania, for five, and in Massachusetts, for three years, in that State. It is unlawful in Massachusetts, New York, Pennsylvania and Vermont, for any officer of any hospital or asylum to certify to the insanity of any person committed to the institution of which such physician is an officer. In Pennsylvania, the medical certificate cannot be made by any relative by blood or marriage, and the two examining physicians must examine the patient separately. In Vermont, they may not be members of the same firm. In Wisconsin, they must be "disinterested."

Form of Inquest.

Three forms of inquest may be distinguished from each other; that in which the judge appoints some other person to investigate the case and report to him, that in which the judge himself (with or without asssistance) hears the testimony and decides the case, and that in which the evidence is passed upon by a jury and a verdict rendered. A commission is sometimes called a jury. The precise point of difference between the two is difficult of definition; but where the jury acts independently of the judge, and not with him, it may be regarded as a commission. Where the judge associates certain persons with him to share the responsibility of his action, but retains the conduct of the case and the right to decide it, this is inquest by the judge. Where the jury hears the evidence in the judge's presence, and the verdict of the jury is the ground

of his decision, this may be considered, for our present purpose, as trial by jury.

Inquest by commission is authorized in Connecticut, Georgia, Montana, New Mexico, Pennsylvania, Rhode Island, and Wisconsin. One member of the commission must be a physician, in Connecticut, Georgia, and Pennsylvania; in Wisconsin, the commission consists of two physicians.

In Pennsylvania, one member must be a lawyer; and in Connecticut, a lawyer or a justice of the peace.

The number of commissioners appointed is, in Connecticut and Pennsylvania, three; in Rhode Island, not less than three; in Wisconsin, two; in Montana, one; in New Mexico, one or more; but in Georgia, the commission is directed to eighteen discreet and proper persons, requiring any twelve of them, including the physician, to make examination and inquiry and make return to the ordinary.

The States which authorize inquest by the court, without a jury, are: Alabama, Arizona, Arkansas, California, Colorado, Connecticut, (by justice of peace, if any person is dangerously insane and at large), Dakota, Delaware, Florida, Idaho, Indiana, Iowa, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oregon, Rhode Island, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia.

Discretionary power to summon a jury is conferred upon the judge in Alabama, Massachusetts, Michigan, Missouri, New Jersey, New York, and Tennessee.

The right, on the part of the person alleged to be insane, to a trial by jury is acknowledged and protected in Colorado, Georgia, Massachusetts, Montana, Pennsylvania, Washington, and Wisconsin, where the inquest must be by jury, if demanded by the patient or any friend acting for him.

Trial by jury is obligatory, in the States named, in the following circumstances:

In Maryland, for all insane paupers.

In Kansas, for all insane persons not placed in the asylum at private expense.

In Texas, for all public patients, whether indigent or not indigent. Public patients are such as are not sent under a medical certificate, without inquest; all private patients and some public

patients are maintained at their own expense or that of their friends.

In New Mexico, for all pauper and indigent insane.

In Montana, for all insane, except insane wards.

In Illinois, Kentucky, and Wyoming, for all the insane.

Commitment to a State Institution.

In all States which have State hospitals or asylums for the insane, they may or must be committed to them. The only States which do not have such hospitals or asylums of their own are: Arizona, Delaware, Idaho, Montana, New Mexico, Vermont, and Wyoming. These either place their insane in some private institution, as in Vermont, (Brattleboro); or enter into contract with some institution outside of the State, as in Delaware, Arizona and Idaho.

There are other States which have State institutions of their own, but allow patients to be sent to institutions in other States. In Virginia, the governor may cause insane persons to be placed and kept in any asylum beyond the limits of the State, in his discretion. In North Carolina, the justices who hold the inquest may, together with the physicians, if his income is amply sufficient to justify it, recommend that any person adjudged to be insane, who shall prefer, or his friends prefer it for him, to be placed in any named asylum out of the State, be so placed at his request.

Private Asylums.

Insane persons may be committed to private asylums for the insane, in Indiana, Massachusetts, New York, Pennsylvania, Rhode Island, Wisconsin, and (by implication) in Connecticut, and Maryland. The governor of Massachusetts may license any suitable person to establish and keep an asylum or private house for the reception and treatment of insane persons, and may at any time revoke such license. The New York law forbids the establishing or keeping any private asylum without a license from the State commissioner in lunacy. The board of public charities, in Pennsylvania, has power to require private asylums to take out license, and to appoint boards of visitors to the same, to provide for their inspection and make regulations which must be observed by them. In Wisconsin, private corporations may be formed for any charitable purpose, including the care of the

insane. Every such corporation is subject to visitation by the State board of charities and reform to the same extent as State institutions.

The Insane in Almshouses, Jails, etc.

The commitment of insane persons to almshouses, instead of to State institutions, is allowed in a number of States.

The most elaborate and altogether the best law for the care of the insane in county institutions, is found in Wisconsin. The board of supervisors of any county in the State, may, if authorized by the governor and the State board of charities and reform, erect and establish county asylums, into which may be received any inebriate, all inmates of the State institutions for the insane, who belong to said county and are held as chronic or incurable insane, all insane inmates of the county poor-house and all other residents of the county, legally adjudged to be insane; but acute cases of insanity may be transferred to a State hospital. Patients chargeable to other counties, and private patients not chargeable to any county in the State, may also be admitted. These county asylums are subject to the supervisory care of the State board of charities and reform, without whose consent it is unlawful for the authorities of any county, to assume or retain the care and custody of any insane person. The plans and specifications for the buildings so occupied, must be approved by the governor and by the State board, and the State bears one-half the cost of their construction. The asylums are managed by trustees, three of whom are appointed by the governor, and two by the county supervisors in each county. The State pays for the support of pauper insane maintained in these county asylums, at the rate of two dollars and seventy-five cents each, per week.

The temporary confinement of lunatics in jail is sometimes a necessity. Such detention may be pending inquest, or pending admission to the hospital. It is sometimes limited in its duration by law to a certain number of days.

In the census of 1880, there were found 417 insane in county jails — 129 of them in Virginia and West Virginia.

Instead of committing the insane to any institution, for care and restraint, they may be given in charge of private persons, either their relatives and friends, or other persons authorized to care for them for a remuneration. Such commitment may be by the courts, or by the hospital authorities; it may be at the time of inquest, or

of discharge from the hospital; and it may be with or without bond.

Transfers of Custody.

The Secretary of the board of State charities, in New York, may order the transfer of any inmate of any almshouse, who is, in his opinion, not adequately and properly treated, to a State asylum for the insane.

In Rhode Island, if any person is not humanely cared for, or is improperly restrained of his liberty, in any town, the State agent of charities and corrections may complain to the supreme court, which must forthwith examine into the circumstances alleged in the complaint, and if the same be found to be true, cause such idiotic, lunatic or insane person to be removed to the State asylum for the insane.

In Pennsylvania, the board of public charities may apply to the presiding judge of the court of common pleas, in any County for the transfer of any indigent insane person, in an almshouse or otherwise, in the custody of the directors or overseers of the poor, to a State hospital.

The Massachusetts board of health, lunacy and charity may transfer and commit, to either of the State lunatic hospitals, any inmate of the State almshouse or State workhouse, whose condition requires such transfer, but no such transfer may be made without the certificate of two physicians to the insanity of such inmate. The board can also, on application of the authorities in charge of a private asylum for the insane, transfer any inmate to another private or public asylum, with the consent of the patient's natural or legal guardian. When it has reason to believe that any insane person, not incurable, is deprived of proper remedial treatment, and is confined in an almshouse or other place, it must cause application to be made to a judge for the commitment of such person to a hospital. In addition to the powers thus conferred upon the State board, the governor may order the removal of any insane person legally confined in a jail, house of correction, or county receptacle, to any other jail, house of correction, or other suitable place.

Note. — The Paper of Mr. Wines has been abridged, and that part relating to the northwestern States has been specially shortened, in order not to trench upon the subject of the next paper, by Prof. Wright. Both papers were followed by a debate in which Dr. D. H. Tuke, of London, and Dr. Baker, of the York Retreat, England, took part.

II. LUNACY LEGISLATION IN THE NORTHWEST.

BY A. O. WRIGHT, SECRETARY OF THE WISCONSIN STATE BOARD OF CHARITIES AND REFORM.

(Presented Thursday, September 11, 1884.)

The States carved out of the old Northwest Territory, with those States lying next west of them beyond the Mississippi, form a great natural division of the United States, formerly called the Northwest, but now frequently called the Interior. The population of these States came principally from New England and New York, with a large addition of foreign immigrants, except in the southern part of this region, where immigrants from Pennsylvania, Kentucky and Virginia made the bulk of the population. Indiana is the only one of these States which has shown the influence of this element on legislation, and consequently differs from her sister States of the Interior in many features of her public life. In all the rest legislation has been on substantially the same lines of thought as in New England and New York — in the earlier years copying their laws, and more recently leading off in experimental legislation, in directions in which the more conservative East was moving, but moving more slowly.

According to the census of 1880, the Interior States had a population of 14,000,000, and an insane population of over 25,000, of whom less than 11,000 were in hospitals for the insane. Since that date there has been a considerable increase of population, probably 2,000,000, at least, and a yet more rapid increase of insanity, making probably 30,000 insane. While the proportion of insanity is still much less than in the Eastern and Middle States, it is drawing toward that proportion with considerable rapidity.

In the legislation upon the subject of insanity in the Interior States, there seem to have been three stages of progress, each about half a generation apart.

About a generation ago public attention was directed to the need of provision for the insane. All the earlier legislation was prepared under the influence of hospital superintendents, who were at the time the only persons acquainted with the humane and skilful treatment of insanity. This legislation was according to the best ideas of the time, and in the line of public opinion in the

East, which at that time we were accustomed to follow. Under these influences legislation was had, the leading ideas of which may be summarized as follows:

1. All the insane should be cared for in State hospitals, as fast as such can be provided. These are curative institutions, consequently congenital idiots should not be admitted; and, if all the insane cannot find room in the hospitals, then the more hopeful cases should have preference over the apparently incurable ones.

2. Admission to the hospitals should be made as easy as possible, because delays in sending recent cases to the hospital may prove fatal. Discharges should be in the discretion of the hospital authorities.

3. The management should be in the hands of a skilled medical superintendent, with a board of trustees removed as far as possible from direct political influence, and all power should be centred in the superintendent, responsible only to the trustees.

Under these ideas hospitals were erected on the congregate plan, usually at a cost which was not extravagant as compared with some of the newer Eastern hospitals, but which at that day was sufficiently great. It was claimed that the insane would be rapidly cured in these institutions, and a comparatively small hospital in each State was at first asked for. But the effect of hospital treatment was in general not to cure the insane, but to prolong their lives and thus accumulate them. The hospitals were added to from time to time, until they grew far beyond the original intention of their projectors, one of them, the Indiana State Hospital, having now a capacity of 1,600 inmates.

The early erection of these State hospitals forestalled private asylums, and few of these have ever existed in the Northwest.

The insane increased faster than hospital capacity, and the surplus insane were necessarily kept at home or confined in poorhouses or jails, or in a few cases boarded out in some family willing to take them. These measures were regarded as expedients for temporary relief only, and consequently very little special provision was made in the laws for local care of the surplus insane. But a few of the counties containing large cities obtained special legislation for institutions under their own control.

The cost of maintenance of the insane was collected from all persons able to pay, and in other cases charged up to the counties.

The effect of this was to enable the well-to-do class to keep their insane in the State hospitals as long as they were willing to pay for them, at rates very much less than private asylums would have charged, to give the poorer class free treatment for a time, until sent back to make room for more recent cases, and to cause the friendless pauper insane to be sent directly to the poorhouses, because cheaper for the county. To remedy this inequality, some States have more recently made hospital treatment free for all insane, and various devices have been adopted by others.

About half a generation ago a movement of public opinion, common to the East and West, to England and America, began to make itself felt in the Interior States, in various forms of lunacy legislation. This movement of public opinion was one of dissatisfaction with the methods of the State hospitals. It took the following directions:

1. A closer supervision of the hospitals. The only supervision hitherto had been by a committee of the legislature. In most of the Interior States, Boards of Charities, lunacy commissions or visiting committees have been created.

2. Greater care in the adjudication of insanity.

3. Attempts were made to facilitate the process of releasing a person unjustly held as insane.

Within a few years another movement of public opinion has begun to make its mark on legislation in the Interior States. This movement has not as yet reached the stage of legislation beyond the Mississippi, but in several of the States formed from the old Northwest Territory it has found some expression in legislation. This movement has for its object, four things:

1. Greater economy in the construction and management of institutions for the insane.

2. A limitation of the size of all new institutions, bringing them back to their original plan, so that they shall not be beyond the power of the superintendent to personally treat the case of each inmate.

3. Provision for occupation and liberty for the insane.

4. A better classification of the insane.

In this movement Illinois and Wisconsin have led in two different directions.

Economy in the management of existing institutions has been secured in Illinois, by the special powers granted to the State Board of Charities, in their quarterly auditing of the accounts of State institutions. In Wisconsin, economy in the management of State institutions has been secured by the creation of a paid board of trustees, who give their whole time to their management.

Economy in the construction of institutions for the insane, and provision for occupation, liberty, and classification, have been secured in one institution in Illinois by the cottage plan. Under the influence of Illinois, the States of Indiana and Ohio are now engaged in erecting institutions on the same plan.

The same objects, together with the additional one of smaller size, have been secured in Wisconsin, by the creation of county asylums for the chronic insane, under the close and effective supervision of the State Board of Charities and Reform.

The present situation of laws respecting the insane in the Interior States is as follows:

I. — The Adjudication of Insanity.

In nearly all the States safeguards have been established to prevent persons being unjustly confined as insane. Three methods of adjudging persons insane prevail.

1. In Ohio, Michigan, Wisconsin, Illinois and Minnesota, the probate judge of the county has jurisdiction, assisted by medical advisers appointed by himself, and is required to summon witnesses. In Illinois, a jury trial is required in every case, in the presence of the alleged insane person. In Wisconsin, a jury trial is guaranteed, whenever called for by the alleged insane person, or any relative or friend in his behalf. In Minnesota, the judge appoints two persons, one of whom must be a physician, who with himself decide the case.

2. In Iowa and Nebraska, there is a board of commissioners of insanity in each county, consisting of the clerk of the Circuit court, and a physician and lawyer appointed by the circuit judge, for two years. These commissioners are required to take testimony, and, when called for, to hear counsel and subpœna witnesses.

3. In Indiana, a case may be brought before any justice of the peace, who must then associate with himself another justice of the peace, and a physician who is not the family physician of the

person alleged to be insane, who try the case with the aid of witnesses, and file their certificate of insanity with the clerk of the circuit court, who conducts the further merely formal proceedings relating to admission to the hospital.

It will be seen that in all these forms there is provided a public and responsible court in each county, to determine the question of insanity, and a permanent record of the proceedings of such court. The action of such court is necessarily a little slower, but at the same time safer than the old methods.

The discharge of persons held as insane is in the discretion of the superintendent or trustees of the hospital, subject to the operation of the writ of habeas corpus, and to the following special provisions of law:

1. In Iowa and Nebraska, the circuit judge, on an application in writing, must appoint a commission of not more than three persons, one a physician and one a lawyer, who shall go to the hospital and examine the case and report upon it. The superintendent must also make a written statement. Upon the statement the judge must decide upon the sanity of the person confined as insane. If he decides that he is sane, the judge makes an order to the superintendent directing his release.

2. In Minnesota, the lunacy commission may remand any patient to the probate court of the proper county, to be detained there a reasonable time under surveillance, till the judge is satisfied of his sanity or insanity.

3. In Wisconsin there are two methods of procedure, in addition to the one by habeas corpus. The State Board of Supervision may act as a lunacy commission, with power to discharge persons not insane who are held as such, and also to discharge any insane persons "who can be cared for after such discharge without danger to others and with benefit to such person." Or a rehearing of the case of any insane person may be had before the county judge, either of the county from which he was committed or of the county in which he is confined, on the application of any respectable person in his behalf. In this case the proceedings are the same as on the original trial, and a jury trial may be demanded.

The effect of all these legal precautions is to make it almost impossible for any person to be wrongfully held as insane, for any length of time.

II. — The Criminal Insane.

The very common practice of criminal lawyers, of pleading insanity in order to clear criminal clients, has been met by provisions in all of the Interior States. In all, it is intended to provide that a person accused of crime shall not escape both State prison and insane asylum by the plea of insanity. The clearest law on this subject is that of Wisconsin, which provides that the question of insanity, if raised at all, must be tried separately from the question of criminality, and before it. If decided insane, the person on trial shall be sent to a State hospital. If he recover, the trial shall proceed where it left off, when he was decided insane.

Criminals who become insane while in prison, in all these states, may be transferred from prison to a State hospital. In Michigan, an asylum for the criminal insane is in process of construction, in connection with the State House of Correction at Iowa.

III. — Hospitals and Asylums.

In all these States hospitals for the insane have been erected. In nearly all of them they are managed by unpaid boards of trustees, appointed by the Governor, who appoint a skilled physician, a superintendent, and all other officers and employés on his recommendation. This is the general type. The variations are these:

1. In Nebraska the Governor appoints the superintendent of the hospital for the insane, and two assistant physicians, one of whom must be a woman; a board of trustees manage the hospital in other respects, and appoint, on the nomination of the superintendent the subordinate officers and employés. But the buildings and grounds are controlled by a board consisting of the Commissioner of Public Lands and Buildings, the Secretary of State, the Treasurer and the Attorney General. They also audit all accounts of the hospital as well as of all the State institutions, quarterly. With the addition of the Governor they meet with the superintendent of the State institutions and determine the supplies needed for the next three months and provide for letting them by contract This is a very complicated system, and must produce some confusion of authority.

2. In Iowa the trustees are appointed by the general assembly, and three out of five must be women.

3. In Wisconsin a board of five men, paid a salary of $2,000 a year each, appointed by the Governor, called the State Board of Supervision of Charitable, Penal and Reformatory Institutions, acts as a board of trustees for all State institutions, besides having lunacy powers which they have not exercised. A number of miscellaneous provisions may be grouped here.

In Nebraska only is it required that one of the assistant physicians shall be a woman. In Michigan only is it provided that one of the State hospitals shall be under homeopathic management.

In four States, Ohio, Indiana, Illinois, and Minnesota, all insane are supported free of cost — in three others, Wisconsin, Iowa, and Nebraska, a part or the whole of the cost of support is charged back to the county and collected from the insane person's estate or his relatives, if collectable under liberal exemption laws, otherwise not. In Michigan it is charged back to the counties for three years and thereafter made free. In Nebraska the correspondence of the patients is as free as that of any citizen of the State both as to receiving and sending letters, and they must be provided with writing material and stamps for at least one letter each week.

In Minnesota a report of the condition of each patient must be sent to the next of kin each month.

But the most radical changes inaugurated in the Interior States have not yet been given. All these States have State hospitals built upon the congregate plan, and enlarged from time to time, till in one institution in two buildings, the Indiana State Hospital, there is now capacity for 1600 insane. The ordinary capacity is 500 or 600. Many arguments have been made for and against this plan, not necessary to recall here. But two experiments are going on which bid fair to revolutionize the system of building for the insane.

Illinois has for several years had a comparatively small hospital at Kankakee on the cottage or segregate plan. This is in process of enlargement, and Ohio and Indiana each has an institution in process of construction on the plan of that at Kankakee. The cost of construction is cheaper and the insane are more comfortable, and have greater freedom and can be treated more variously than in a large congregate building. A discovery was made two or three years ago in another Illinois State hospital, which astonished all the officials concerned. Owing to the destruction by fire

of the male side of the Illinois Southern Hospital for the insane, the men had to be kept in cheap frame barracks in large associate dormitories. When the palatial congregate building was restored, the men did not want to go back, but preferred the humble barracks with the liberty and sociability there enjoyed. It was a revelation of the fact that palaces are only needed for architectural display, but are useless for helping the insane.

The system of county insane asylums for the chronic insane is a further experiment in the same direction in Wisconsin, and as it is the most novel thing about lunacy legislation in these States, I will dwell on it a little longer, than would otherwise be necessary. It has been proved by experiment during the past three years that expensive buildings are not needed for the chronic insane, and that a medical specialist is also not needed. Of twelve county insane asylums in Wisconsin only one has a medical superintendent: the others are managed by intelligent and humane laymen. The one having a medical superintendent has a capacity of 300 and is essentially a hospital on the usual plan. None of the others have over 100 inmates. They are on large farms, and occupation is generally provided for the inmates, while mechanical restraints are rarely used, and chemical restraints never. Visiting physicians inspect the institutions frequently. The safeguard against abuse is in the quarterly visits of the State Board of Charities and the power they possess of withholding a State appropriation if the insane are not treated properly. The points of interests are:

1. Economy in cost of construction and maintenance. Construction costs about $300 *per capita*, in solid brick buildings with all needed comforts. Maintenance costs about $2.00 a week or $100 a year *per capita*, in a style of living like that of a well-to-do farmer, including all salaries and wages, and deducting the products of the farm.

2. The needlessness of medical attendance for *chronic* insane. No acute insane are received in those institutions, and all the chronic insane in the counties having such asylums, are received in them, except the homicidal cases. The chronic insane are fully as comfortable, and fully as many recover as of the same classes under skilled medical treatment, and no opiate drugs are administered to them. The best medicines for them is occupation, liberty and cheerful surroundings.

3. The competency of local authorities under the stimulus of a State appropriation to care for the chronic insane and to do it well.

4. The ability of intelligent persons to originate methods of treatment which it would be wise for specialists to investigate. One such man in Wisconsin, in charge of a county asylum, with forty inmates, has originated a method of educating the insane, which would give him a European celebrity, if he were a physician, and could disguise his method under a Latin name. On a visit to his institution, a year ago, the writer found *all* the *male* insane, except four, too feeble to work, many miles away, camped out with one attendant, upon a two months' job of wood-chopping. Several remarkable cures of persons just sent back from the State Hospital as chronic cases, show still further the value of his system of education of the insane.

The matron of another asylum originated a system of treatment of filthy insane, which wholly cured thirteen of the worst cases of filthiness, all there were, so that they have never had a relapse.

In another institution containing a hundred insane, which the writer visited recently, with the correspondent of a Boston paper, every door and most of the windows were open; there were no fences and no bars on the windows, and the institution was left so while we sat down to dinner with all the sane people on the place. The insane had already had their dinner, and were so well trained that they could be trusted half an hour alone in complete freedom. Many of the insane had been put in charge of others, and looked after them well.

5. Not least of the advantages of these small local institutions, are the nearness of the insane to their friends, who see them frequently, the public interest taken in the treatment of insanity, and the diffusion of more correct ideas respecting it among the general public, and even the medical profession outside of specialists.

I have thus given a brief sketch of lunacy legislation in the Interior States. Many changes have been made in that legislation in the one generation which has thus far dealt with this question. Many more may be expected in the future, especially in those States which have State Boards of Charities to help guide public opinion.

III. PAPERS OF THE HEALTH DEPARTMENT.

This Department met on the 10th of September, 1884, and listened to an address by its chairman, Prof. D. A. SARGENT, of Harvard University, on *The Evils of the Professional Tendency of Modern Athletics*. A Report was also submitted by the Secretary of the Department, Dr. LUCY M. HALL, of Brooklyn, N. Y., on Physical Training, Tenement Houses, and other subjects. Dr. Sargent has withheld his address from publication, submitting only an abstract; and Dr. Hall has furnished chiefly that part of her Report which relates to Tenement Houses. In consequence of the close connection between Physical Training in Colleges, and Education, the papers of Prof. HITCHCOCK, of Amherst College, and Mrs. R. S. BRYAN, on that subject, have been included among the papers of the Education Department; so that only Dr. Sargent's abstract and Dr. Hall's extract appear here among papers of the Health Department.

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1. DR. SARGENT'S SUMMARY.

[As many of the evils pointed out in his address at Saratoga upon this subject have been already acted upon by some of the colleges, Dr. Sargent has deemed it best to furnish only a summary to be printed in this Journal.]

To many persons who are only superficially familiar with life at our fashionable shore and mountain resorts during the summer months, there would seem to be no ground for the assertion that we are an overworked people; but such superficial impression is misleading. In his days of recreation, the American does not lay aside the anxiety of his business. The mail and the telegraph are as indispensable at Newport as on Wall street. The business man's vacation is little more than a feverish combination of business and pleasure. In very recent years, however, the demands of our physical well-being have assumed a new importance. Bodily health is the basis of almost all success, and the recognition of this fact has been followed by an increased respect for the claims of a systematic physical training. Every well-equipped college is now supplied with a gymnasium. College

sports are commended and encouraged by parents, and approved by college faculties. But, as in most good things, this popular encouragement may be carried too far, and be followed by pernicious results. Today we are face to face with one of these harmful results, the deplorable tendency to professionalism in our college sports. The love of competitive sport is inherent in man. Every tribe, town and city in history has its swift-footed Achilles, its Samson and its Hercules. Organized efforts for amusement come with accumulated wealth. Clubs are formed in friendly local rivalry; then prizes furnish the incentive to effort; then the object being no longer sport, but victory at any cost, specialists are hired to play at large salaries. Friendly rivalry has gone, and the bitter and unscrupulous contests of professional sportsmen have taken its place. The growth of the professional spirit in our college sports is a most serious evil. Today college clubs, like professional clubs, play to win, and to win by any possible means. The old spirit of courtesy and generous competition is disappearing, and some of our college contests now are little more than exhibitions of brutal violence. The old motto of "fair play and no favor," or "let the best man win," has lost its significance, and contests are now conducted in great part with an eye to pecuniary results. College clubs play and college crews row where they are offered the best inducements. In this way they may be said to form a business partnership with the hotel proprietors and transportation companies. Then the demoralizing work begins. The contestants are in the hands of their trainers, and the trainers are too often in the hands of the betting rings. Betting will ever be the bane of competitive contests. Sporting men bet to win. To make betting a paying business, "tips," "points," and "understandings" must be obtained, or, in other words, bets must be made frequently on a "sure thing." Many of our fashionable pool rooms are run on this principle.

Still another evil connected with our athletic sports is the mania for excitement. In this age of electricity the demand is for stimulating food, stimulating drinks, and stimulating amusements. Evenly matched games are the most exciting; if the contest be one-sided, the crowd goes away dissatisfied. To insure good financial results, therefore, a preliminary arrangement must be made whereby, whatever may be the relative skill of the contestants, the contest shall be a close one. Most of our glove con-

tests and wrestling matches are "arranged" in this manner. The result is a degradation of the popular taste and a general distrust of athletic contests.

Another evil which is working incalculable harm to our popular sports is the notoriety given to them by the public press. When a newspaper devotes three columns of its valuable space to the detailed report of a "fistic encounter," and a few editorial lines to moralizing upon it, a hundred will read the report where one will read the homily. So great is the demand for sporting news that many large daily papers have their sporting columns and their sporting editor. The most insignificant details are published concerning the participants in college contests, and all their sayings and doings before and after the events are given to the public. The paper that publishes the most gossip of this sort sells the most copies. When it comes to a question of the moral aspect of the sports, and the eradication of certain evils connected with their practice, we have the anomalous spectacle of some of the most conservative of the great metropolitan dailies coming out in support of acknowledged evils, while the sporting papers, hitherto looked upon by some people as the representatives of professional chicanery, protest against these evils, and unite with the religious press in favor of moral principles, manly dealing and fair play in amateur sports.

The next danger that threatens our athletic sports is the attitude of educators and men of prominence with regard to them. It is only within recent years that college faculties have acknowledged that the body was worthy of any systematic training. Now there is a danger that they may go too far in the acknowledgment. They may be willing to encourage sports played according to the present vicious principles. They may not see or understand the professional spirit that has crept in, and the degradation which college sports are consequently undergoing. Gymnasiums are built, only to become the training school for specialists. In too many institutions faculties permit themselves to be influenced by the unwise, though perfectly natural, demands of the students in athletic matters. They close their eyes to the degrading influence of the professional spirit that is beginning to control college sports. But many of our leading presidents have awakened to the serious evils of our present tendency. In their addresses and reports they show great disagreement in their way of viewing

the subject, but it can be safely predicted that they will all come eventually to the ground occupied by President Eliot, of Harvard, who said, in a recent report, that "college clubs and crews should be forbidden to employ trainers, to play or row with professionals, or to compete with clubs or crews who adopt either of these practices; that they should be forbidden to give exhibitions in large cities for the purpose of money making; and to receive subsidies from railroads and hotels in furtherance of this object."

Finally, the influence which the growth of the spirit of professionalism exerts upon the students themselves is dangerous. It gives them a false idea of the place and purpose of college sports; it weakens their principles of honor and fair play; it develops the skill and physique of a few students, but does not benefit the mass of students; it is maintained only at great expense, which bears heavily upon the poorer men in college; it fosters an unhealthy excitement, and seriously interferes with the proper intellectual work of college life. While the measures for reform proposed at the Intercollegiate Athletic Conference, held in New York last year, may be capable of improvement in detail, they certainly mark out, in their general tread, the line along which future progress must be made in the regeneration of college athletics.

2. TENEMENT-HOUSES AND THEIR POPULATION.

BY LUCY M. HALL, M. D., OF BROOKLYN, N. Y.

(From the Report of the Health Department of the Association, Read Wednesday, September 10, 1884.)

A large portion of those who dwell in cities and towns, by virtue of their occupations, are compelled to remain almost exclusively within doors, and to others, who, by choice or necessity, are wont to spend a large part of each day in the open air, there is left no inconsiderable portion of time, which, in accordance with our modes of life, must be passed in some kind of a habitation. Hence the great necessity for healthfully-located, healthfully-constructed, and properly supervised buildings. A healthful habitation, simply considered, is one which will shield its occupants from the inclemencies of the weather, the necessary accessories being an abundance of sunshine and pure air, with sufficient artificial warmth added when necessary, to maintain the normal body temperature. Not a difficult standard to attain, it would seem; how difficult, only those who have labored to its accomplishment can attest.

Among the topics brought prominently before this Association in the past, have been studies of the best methods for the disposal of the waste products of the house with the least degree of contamination to its atmosphere; and the most painstaking instructions for the care of both country and city houses have been given. Where the wet system of removal has been adopted, the most conspicuous necessities and cautions are for the free ventilation of sewer-pipes, copious flushing (and how few people understand this term! a pint of water being considered an ample supply for the purpose), the need of all receptacles for slops or excreta being defended by linings of non-absorbent material with a perfectly smooth inner surface, preferably porcelain; these to be always accessible for thorough cleansing at the will of the housekeeper; avoidance of cesspools when possible; and in opposition to the craze for so-called "modern conveniences" in every part of the house, the restricting of all appliances which must in any way be connected with sewer-pipes to a limited, and, if possible, separately constructed portion of the dwelling exclusively appropriated to these purposes.

I am happy to report that these important recommendations have taken a strong hold upon the public mind and are being largely adopted, not only in the construction of new buildings, but in the rearrangement of older ones. The most important question now under discussion in connection with house-drainage, is that relating to the separate ventilation of each trap on the waste-pipes. This is required by many of the public health authorities. Its efficiency, and even its propriety, have always been doubted by some and defended by other leading sanitarians. Experiments recently made by Mr. J. Pickering Putnam, in Boston, seem to justify, in a very marked way, the opposition to the method. There are various points arising in the discussion which are important. Some of them are less clearly established than others. *One* which *is* clearly established would seem to warrant the *condemnation* of the practice. This is the fact that the current of air produced in the vicinity of the trap by a thorough ventilation, leads to the rapid evaporation of the sealing water, so that even if the ventilation were a reliable preventive of siphonage, the breaking of the trap by evaporation, unless in constant use, would seem to be assured.

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In the houses of the wealthier classes there is too much luxury and elaborateness of furnishing and ornamentation, and sanitary precautions are made to give way to the multiplied artificialities of existences. Our civilization is becoming overdone. The tendency should now be toward greater simplicity.

A noted physician of New York, in recognition of this fact, has caused his house to be refurnished, and has, so far as possible, substituted polished surfaces, both in floors and furnishing fabrics, instead of the dust and germ-secreting carpets and upholstery, which he has discarded. Also any appliance which prevents the free ingress of sun and air into every part of the house during at least a portion of the day, he most rigorously condemns as a potent enemy to health. The custom of surrounding dwellings too closely with trees and shubbery (seen in village and country homes especially) is a most pernicious one, and in these damp and sunless rooms it is no wonder that phthisis, rheumatism, and malaria find a fertile atmosphere for their development. Another source of nervousness and lowered vitality in connection with insufficient ventilation, is the extreme degree to which our houses,

places of business, theatres, churches, hotels, and railroad cars are overheated in winter. A newly arrived foreigner, unaccustomed to this seven-times heated atmosphere, finds it almost irrespirable, and in addition to his discomfort, great embarrassment to health results. This custom alone is sufficient to prevent Americans from ever becoming a robust people.

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The recent action of the Legislature of New York in passing a bill by which a commission was appointed to inquire into the condition of the tenement-house population, is significant in that it shows a powerfully awakened interest in this most important subject. The necessity for interference lies in the fact that disease and its offspring, drunkenness, degradation, vice, and crime, are engendered and propagated in these environments.

The faulty conditions are: 1, improper buildings with small sunless and unventilated rooms; 2, inadequate and faultily-arranged appliances for the disposal of waste products of the house and person; 3, failure of the tenants, from lack of intelligence or inclination, to comply with sanitary rules and precautions; 4, overcrowding. The condition of New York City in these respects may be taken as an extreme illustration of that of other large American cities.

Thinking that some of the published accounts which I had seen might be sensational in character, I procured the services of a policeman, and with a gentleman also interested in sanitary matters, made a careful inspection of a large number of tenements on Elizabeth, Mulberry, and the neighboring streets. There are no words which are adequate to describe these places. Every sense must contribute to form an impression, which once received, can never be forgotten. We first visited what are called "The Big Flats," on Elizabeth street. (These were the best of all the places which we saw, and yet a more bitter satire upon "Home, Sweet Home" could not well be imagined.) In a large proportion of the rooms, the sleeping-rooms of the suites, there is no means of ventilation, and a ray of sunshine has never touched the blackened walls, which a dimly burning match revealed covered with dampness and vegetable organisms. The air was thick with decaying filth and its products. The portions of the building where waste and excreta were, or should have been disposed of, were literally reeking, above and below, with what seemed the accumulation of

years, and yet we were gravely told that the place was cleaned (?) daily by the janitor. This building is occupied by nearly fifteen hundred human beings. As our guide proceeded we found ourselves in an ever-descending scale of poverty, squalor, and wretchedness. The noisome air of the small, dimly lighted, and unkept rooms was rivalled by that of the court-yards, where the masses of garbage, tossed recklessly in every direction, were made sodden by slops, water from the hydrants, and streams of excreta pouring unhindered from the dilapidated structure which occupied one extremity of the yard, destined for the common use of the occupants of both front and rear tenements. Here were homes without bed, chair, table, or other furniture than a battered stove and a few benches. Men and women, many of them stupid with drink, and swarms of pale, sickly, prematurely old, and neglected children filled every available space.

The first impression produced by this sudden opening of a world of horror, a city of desolation and doom in a city of grandeur and pride and prosperity, was one of despair, and I said in my heart, "All hope abandon ye who enter here!" These people can never be educated or induced to comply with any rules which are necessary to decent and healthful living. Degraded, drunken, hopeless beyond compare, they are a fixed fact, a necessary component of the city's mass. As a centre of moral and physical miasm they must remain, and that they may be cared for in the various exigencies of life the bulk of the enormous charities of the city must be expended; while through the many avenues by which our daily life goes on we must share the contaminations engendered here. Happily, others more hopeful than I have been, are bravely meeting some of the difficulties which to me seem insuperable, and their efforts are already crowned with the most gratifying results. Their work, though only a beginning in the right way, is an index of what might be accomplished by bringing to bear a greater degree of influence, interest, and assistance.

The sanitary dwellings, arranged and conducted by Mr. Henry E. Pellew (Improved Dwellings Association), in New York City, and of Mr. Alfred T. White (Improved Dwellings for Laboring Classes), in Brooklyn, have met with unqualified success. Mr. White says: "While the buildings are yet too new to allow any very close predictions as to the exact ultimate death-rate, it has so far not exceeded fifteen in the thousand per annum,

against an average of over thirty in the old style of tenement-houses."*

The general oversight exercised by the "New York Association for Improving the Condition of the Poor," by its organized methods of tenement-house inspection and the reporting of defects, has done valuable service. The reform which has more *especially reached the lowest class* of tenement-house population is that begun by Mrs. N. Miles, upon the plan of Miss Octavia Hill's work in London. It is now being carried on by Miss O. H. Dow, and a similar work is being done by Miss Ellen Collins, the latter lady being the owner of the tenements which she controls. The houses are located in the worst neighborhoods on Water, Cherry, and Mulberry streets, but by thorough renovation, disinfection, and improved means of ventilation, together with suitable plumbing, they have been rendered fit for habitation; and under the careful and wise management of these ladies (Miss Dow and her assistant, and Miss Collins and her agent), about two hundred families have been rescued from the deplorable conditions of their former environment and are now living in clean and well-ordered homes. At the time of my visit, August 18th, Miss Dow informed me that of her one hundred and seventy families not a single child was ill, while in the houses in the immediate neighborhood, where the old regime was continued, there was much illness, and children were dying in large numbers.

Some of the remedies for existing evils would seem to be:

1. The construction of a large number of sanitary dwellings for the poor in the suburbs of the city, and in connection with these special arrangements for much cheaper, or free transportation before and after working hours would be needed. (Thus the necessity for overcrowding in the heart of the city would be obviated.)

2. The gradual demolition of old unclean and dilapidated tenements, their places to be taken by dwellings suitable for habitation.

*In London the death-rates in the Improved Industrial Dwellings and the Peabody Fund Buildings have been carefully recorded; these, compared with the general death-rate of the metropolis, are as follows: Improved Industrial Dwellings, in 1877, Death-rate in buildings, 17; in metropolis, 21.9. 1878, Death-rate in buildings, 17.2; in metropolis, 23.5. Peabody Fund Buildings—1880, Death-rate in buildings, 17; in metropolis, 22.20. 1881, Death-rate in buildings, 17.22; in metropolis, 21.20. 1882, Death-rate in buildings, 18.42; in metropolis, 21.40. When we consider that in London as well as here, the deate-rate was reduced from 30 to 15, through the occupancy of the sanitary dwellings, and that the proportion of deaths to the cases of illness is as 1 to 28, we may understand how great a saving of life and health is made possible.

3. Renovating and putting into sanitary condition all houses occupied by tenants, and placing them in the care of agents who will, by conscientious and painstaking surveillance, establish a code of good order, decency, and sanitary observances.

4. More careful inspection and rigid enforcement of rules by health boards, including the restrictions against overcrowding.

NOTE:—THE REPORT OF THE NEW YORK TENEMENT-HOUSE COMMISSION submitted to the Legislature, February 17th, 1885, reports 968 tenements inspected, estimates the number of tenement-houses in New York at 26,000, and recommends a registration of tenement statistics. The percentage of deaths in tenements has increased from 51.11 in 1876 to 56.50 in 1884. The percentage would be greater were it not that sick occupants of tenements go to charity hospitals, to which their deaths are credited. In the district known as "the Bend," the mortality of children under five years is over sixty-five per cent. It is recommended that this block be cut through, extending Leonard street to Pell street, removing thus some of the worse tenements. There are 3,000 rear tenements in New York, where is the greatest sickness. Yard spaces should be expanded here, or the buildings should be remodelled.

Frederick M. Owen, Chief Inspector, makes a supplementary report with the following conclusions:

1. There are buildings that should be ordered immediately vacated.
2. The number needing inspection of plumbing is very large.
3. It is impossible to make owners or tenants obey sanitary laws without systematic inspection.
4. Such inspection is impossible with the small force of inspectors of the Health Department, even in its present efficiency.
5. The privy vaults in this city should be condemned.
6. The water-closet is preferable to the school-sink.
7. All water-closets, vaults, and school-sinks in tenement cellars should be removed.
8. Cellars in made ground with tide influence are flooded at high tide.
9. City cellars throughout lack care and cleanliness.
10. The waste of water requires special attention.
11. The majority of bedrooms are without light or air.
12. The darkness of halls conduces to immorality.
13. The location of fire-escapes often exposes to unnecessary danger.
14. The condition of tenants is in advance of that of tenements.
15. Tenants generally appreciate the importance of sanitary measures.
16. That some of the worst tenements contain only three families.
17. That rents are unnecessarily high among the poorer tenements.
18. That illegal crowding is universal among the Polish Jews, Italians, and low Irish.

It is a noteworthy fact that the death-rate is larger as the number of tenants is smaller. The following table shows the total deaths in New York, total in tenements and percentages,—

	Total Deaths.	Total in Tenements.	Per Cent.
1880	38,866	17,677	45
1881	38,609	21,171	55
1882	37,951	20,690	55
1883	33,982	18,359	54
1884	35,044	19,801	56½

In the upper part of the city fifty per cent. of the tenements were built before 1881, in the middle part sixty-six to eighty per cent.., and in the lower wards ninety-eight per cent. The sanitary condition of the older houses has greatly improved in the past five years. The chief obstacles in the way of improving tenements are carelessness of tenants, indifference of landlords, difficulty in finding owners, non-residence of owners, mortgages, disposition of agents to do mere patchwork, etc. The Commission concludes its report with the draft of an elaborate series of amendments to the powers of the New York Health Department.

The Papers of the Social Economy Department were but two in number, one of which, *Hebrew Charities*, was printed in Part I. The Paper of Mr. SHEPARD, on *Civil Service in States and Cities*, is here extended by a Note to May 1, 1885.

THE EXTENSION OF REFORM METHODS TO THE CIVIL SERVICE OF STATES AND CITIES.

BY EDWARD M. SHEPARD, ESQ., OF BROOKLYN, N. Y.

(Read Friday, September 12, 1884.)

The reform of the American civil service runs the same course which the constitution of modern society prescribes for all political reforms. First came mere observation of phenomena of corruption and incompetence in subordinate official life. Very little and not very careful search was made for the efficient cause of these phenomena. During many years, popular teachers and humorists attacked and derided the scandals. Picturesque observers, like Trollope and Dickens, wounded Americans of a former generation by their superficial accuracy in trifling matters, far more than by their crass blindness to the tremendous and enduring work then going on before their eyes, work which, for the time, left little vital strength to perfect the details of economic and efficient administration. These thoughtless critics of a painfully self-conscious people fancied such scandals to be normal fruit of democracy and of the American character. Even De Tocqueville, among his many broad and interesting generalizations, some just and some singularly inapt, when he touched the matter of official dishonor in America, found nothing better to say than that in democracies statesmen were poor and had their fortunes to make. The intensity of party feeling was by many wise men believed to be the cause. It is only during our time that educated men, in the second stage of the reform, the investigating or philosophic stage, reached a nearly unanimous opinion that these abuses were no essential part of American and democratic life, but that their cause lay in the removal of fit men from business places under the government, and in the appointment of other men for political or personal reasons, and not for fitness. After the serious dangers of administrative corruption and incompetence had become widely known and appreciated, and after their cause had been once found, the next and third stage in the reform was the discovery and application of the remedy. It is the current stage. It has about it neither the sentimental nor the philosophic interest which attended the two

earlier parts of the journey. But it is a vital part, and, indeed, the crown of the work. It is suited, in its sober and laborious detail, to the steady north light of administrative reform, into which American politics have at last come, after sixty years of moral and sentimental excitement. We Americans are now doing no less a thing than the reconstruction of our political frame-work. I dare hardly say that this work transcends in importance, even for the present, all other social work. But I confidently assert that in the domain of practical politics in America it is now the most critical, the most enduring, the most fruitful work. It needs patient thoroughness in the treatment of those forms in which alone can be made manifest the essential and operative virtue of a sound political principle. It needs a mastery alike of the details and of the dominant motives of administration. It needs that true statesmanship, whose imagination does not indeed shrink from new procedure and untried forms, but whose sincere devotion to a lofty ideal attends with humility the usages and practical sense of unlettered citizens.

It is, perhaps, well to recall at the outset that the first wish of civil service reformers was not construction but prevention. Competitive examination, and the restraints at the point of admission to the public service, were not supposed to be in themselves the best, or, indeed, even satisfactory devices for the selection of public servants. They were rather thought to be the only practical measures susceptible of systematic application. The reformers did not fancy they had found new and better methods for choosing servants of the great corporate employers of labor, of which the government is the greatest. The constant and unreasonable changes in business places under political administration oppressed the reformers with a vivid and terrible prevision of the growth of political abuses. These changes were to them the evil. Their aim and even their hope, therefore, were simply to prevent unjust removals. They attacked the odious and contemptible superstition about "rotation in office;" and under their attack, warmly cherished as the superstition was, and still is, by the older school of politicians, it proved incapable of explicit and rational defence. A comparatively slight agitation was therefore able to give an impetus which cannot be stayed, to the antagonist of this superstition—the "merit system." And by the "merit system" I here mean the system under which an officer is retained so long as he

does his work well. This idea has made great strides toward popularity; and its complete hold on the popular sympathy is not far off. Most of us will see every dexterous and selfish politician its professed supporter.

As soon as public sentiment had put some checks on the removal of business servants of the Government, while they faithfully and efficiently performed their duties, the reformers made, however, an unpleasant discovery. It turned out that restraints upon the removal of good servants frequently became in practice restraints upon the removal of bad servants. It was perceived to be a serious blow at the unity and efficiency of executive service to compel a superior to retain a subordinate whom he disliked. Some of our popular institutions, and some, indeed, which I believe to be essential to our national life, doubtless now and then placed in power unworthy superiors. This, however, was an insufficient reason for reversing the rule, so agreeable to common sense, that a superior should find no personal obstacle to the ready control of his subordinates or to their willing and ample service.

This lesson was very quickly learned by the reformers. They ceased to advocate restraints upon the power of removal. Their sole desire was still, however, some constraint of superior officers. But improper removals, they came to think, could be best prevented by the destruction of two powerful and perennial motives, from which the very best men in public life have not been and are not now altogether free. These motives were the wish to gain or keep political prestige through the power of giving livelihood to large numbers of men, and through the hope, fear and respect which that mere power created; and the wish to gratify a personal liking of the candidate or of his friends. Neither of these motives it must be admitted, was in itself, sordid or otherwise despicable. And, indeed, other motives which one is compelled to believe were both sordid and despicable have sometimes influenced men clothed with great power. The reformers proposed to prevent the operation of such motives, whether the motives were honorable or not, by depriving the superior officer, upon a removal, of the power of selecting the successor, — leaving to him only the right to prescribe the general qualifications for the place to be filled. This obviously meant the application of impersonal tests by a body different from the appointing officer. These tests, it was soon

found, if they were really impersonal, constituted an open competitive examination. There could, indeed, be no other impersonal test. For, in the very idea of an impersonal test was involved the condition that every person without preference should be admitted to the test.

It ought to be noticed that there was elsewhere ample evidence that the mere irremovability of efficient subordinates did not produce efficiency of service. In Great Britain, before the reform of the civil service, such irremovability had practically existed. But the motives to unfit appointment were quite as potent there, to say the least, as they have ever been here. The scandals of British administration in the Crimean war gave public sentiment in Great Britain a shock which largely brought success to civil service agitation. And we are told that "the concurrent testimony of a number of civil servants of the largest experience, given before the Russian war" was "that the civil administrative departments were rendered insecure by corrupt parliamentary and political patronage, and by being the 'sinks towards which the scum and refuse' of boroughs habitually gravitates."* In America the scandals in removals were added to the scandals in appointments; and both produced the conviction that an impersonal test must be established for admission to business places in the public service. From the necessity of the case, as I have said, this test became open competitive examination. And this test was adopted, not because it was intrinsically a good test, but because it was thought to be the only available test.

The other restraints proposed by reformers to be placed upon an appointing officer were either a qualifying examination of a single candidate named by him, or a limited competition among several candidates also named by the appointing officer. The qualifying or "pass" examination is a part of the present reform system in the state administration of New York, and was adopted from English administration, where it has largely prevailed. It was until recently a main part of the civil service systems of the cities of New York and Brooklyn; and is still retained, or has been recently adopted by the other cities of New York State. Its motto is *detur digno*. If the man be simply worthy of the place, why should the superior not be at liberty to appoint him, though there be indeed better men seeking the place? In a fine scorn of

*Journal of Statistical Society (1858), vol. 21, p. 18.

the survival of the fittest, so distinguished a public servant and so accomplished a man of letters as Sir James Stephens, less than thirty years ago, seriously advocated the claims to public preferment of "mediocrity and dulness." Patronage, he considered, ought to be used in some sort as a refuge of the weak and helpless. Justice, he seemed to think, required that better men seeking appointment should sometimes (and presumably often) be excluded in order that inferior men might be appointed.* It is a curious and ancient delusion that public places are gratuities, to be fairly distributed, instead of being entitled to the best talent and character which are willing to take them. The decay to which these "pass" examinations are inevitably subject I shall refer to hereafter.

The system of competition between a limited number of persons selected by the superior has seemed to some a reasonable compromise. It has been used in Great Britain, and is now in a few cases theoretically admissible in the federal service, and in the services of New York State. It has recently been abolished with the "pass" examination in New York City and Brooklyn. I am not aware that it has, at least to any extent, been employed in the United States. Its motto is *detur digniori*. It proceeds upon the theory that admission to even a possibility of appointment ought to flow from the personal favor of the superior. The open competitive system has however the still nobler motto, *detur dignissimo*. It assumes that the public service, maintained, as it is, by the labor of the people at large, who do not hold office, and intended, as it is, to do their work, ought to exist for their benefit only, and ought in bare justice, therefore, to have the best talent and the highest character which are tendered it. And if there be such a thing as a right to public employment, that right, it assumes, first belongs to the most worthy.

Reformers had always urged that public employment should, in its conditions, be assimilated to private employment. Here, however, curiously arose an inconsistency. For in private employment competitive examinations were very rare. In seeking to make public service like private service it was strangely enough proposed to use in the former a test unknown to the latter. A private employer relies largely on his own ability to detect skill and competence, and to read character in other men, and to acurately

*Westm. Review (1855), vol. 7 (N. S.) p. 450.

weigh the value of testimonials brought by candidates from those who know them. Theoretically, it might seem that the head of a public office ought to do likewise, if public service and private service be put under the same conditions. The answer to this is, of course, that the self-interest of the private employer furnishes him with a sufficient motive to decide as correctly as he can; and that lamentable experience has shown that self-interest is very apt with public officers to operate in the opposite way. The desire to perform well the public business is too often overcome by the monstrous appetite to play the part of a terrestial demi-god, a fount of life and honor to numerous worshippers, or the more innocent and kindly wish to serve friends, or the less demoralizing and some times half noble desire to serve a political party or strengthen some great political cause by the use of patronage. For in a political party, it ought to be observed, that the continuous life, the past with its traditions, the future with its hopes and fears and the loyalty to the party, almost like a personal loyalty, as it is, make a substitute for public opinion, or indeed a true part of public opinion; and as such powerfully restrain most public officers. If it had not been for all these, indeed, America might to-day be in too serious a plight to even discuss the reforms with which we are here concerned.

The inconsistency was, however, only apparent. The real assimilation proposed by the American reformers of public to private employment was to make improper removals as rare in the former as in the latter; and only the means of accomplishing this end needed to be different, — and that because of the differences between the motives of private employers and those of superiors in public service. The reformers may now, however, I believe, go further — and insist that the open competitive test is intrinsically a good test for any employment on a large scale, public or private. It was with much apology that reformers adopted it. Native force, the power to direct men and other forms of human vitality, it was assumed, could not be satisfactorily measured. The apology was, as I have said, that no other practical test was safe; that, imperfect as the test was, the conditions of public life permitted nothing better. This apology you will find in English discussion until quite recently. And so, in America, we have with much timidity tried competition, chiefly in clerical positions, but have more than doubted whether it could be safely used elsewhere.

I desire in this paper to present the intrinsic merit of the open competitive examination. Even if the motives and the moral resolution of the appointing officer be ideally perfect, is not open competition absolutely the best test known to us, whether for government or for any other large employment? And is not this test applicable to mechanical and executive as well as clerical places, or those requiring scholastic qualifications? Is it not better than the average personal judgment of any single man, exercised as it must be, in comparative haste and with comparatively little system or thoroughness?

This is indeed the question practically presented upon the extension of reform methods to American cities — an extension which is probably the most important administrative reform now being effected in America. The question arises indeed in the federal and state reforms; but its chief importance is in municipal reform. I do not of course mean that the problem of reform is essentially different in cities from the same problem in the federal government. But in the latter service, clerical and like positions, to which the competitive test has hitherto been deemed peculiarly appropriate, though many thousands in number, are largely massed in certain great offices, having at least fifty employees. These were formally the chief centres of corrupting patronage; and all of them have been subjected to the civil service regulations. The military and naval service have a system of their own; and are measurably free from partisan interference. The remaining federal offices, those not properly political, are scattered in very small groups over the land or in foreign countries. Abuses of patronage are not so obvious in them as they were in the clerical positions I have mentioned. In cities, however, the clerical places are predominant neither in reality nor in appearance. The mechanical, executive and supervisory places are quite as formidably grouped. One need mention only the public works departments of American cities to recall conspicuous and scandalous abuses in municipal places not of a clerical nature, abuses which have lately existed, even if they do not still remain. If in cities, therefore, the open competitive test be applied only to clerical positions, but a small part of the evils are reached. Grosser abuses and more serious dangers are left untouched. The lodgment of the reform in the clerical force is, besides, comparatively so slight that the reform does not readily extend itself; and from want of adequate fortification it is itself in no little danger of perishing.

The civil service of a city must indeed be taken as a whole, and as such must be robustly treated. But a large municipal service includes very many distinct classes of positions, which may be roughly grouped as police, fire, clerical, mechanical, supervisory, and executive. In Brooklyn, for instance, there have been established nearly fifty distinct classes for separate competitive examinations, each class being subdivided into grades. To how many of these positions the competitive test can be wisely applied is the great question in the present stage of civil service reform. And in the answer to this question will appear the intrinsic merit of that test.

A brief narrative of the recent progress of reform in States and cities will not be irrelevant to this question. Within four months after the enactment of the federal civil service law, which had been secured by the popular utterance in the elections of 1882, the legislature of New York passed the first civil service law enacted in any American state. At the end of the session of the legislature of 1883, and after the reform had many slights and little progress, and when the older reformers had given up hope, a very small number of young men, active in their differing party sympathies, but holding no official place, accomplished with a good deal of impetuosity what had seemed hopeless. This they were enabled to do through the sagacious vigor and parliamentary skill of the speaker of the assembly and the well known sympathy of the governor. The prestige which the political party controlling both the branches of the legislature had gotten from its victories in November, 1882, had seemed, from experience, a serious obstacle in the way of reform. But experience was, as it often can be, reversed. I refer to these matters to warn against the despondency and executive helplessness into which reformers are too apt to fall when their arguments and rhetoric seem to be under the defeat of mere apathy. Under the New York law, the governor appointed an admirable commission, which, in signal illustration of the spirit of the law, selected as chief examiner, a member of the minority party in state politics, one who had in another place most successfully applied the reform methods.

This law distinctly declared the true test to be open competition, as did the federal law, and as the British House of Commons had done by its famous resolution in 1857. This test was to be employed, according to the New York and federal laws as far "as

the conditions of good administration will warrant." The New York law reached, after excepting political and important executive positions, and also nurses and attendants in asylums and hospitals and day workmen, about nine hundred places in the civil service of New York. This service does not, however, include places in the city and county services, which are far more numerous. Under the regulations promulgated upon the advice of the state commission by the governor under this law, there were, of the nine hundred places subject to the law, about sixty excepted from examination, as being confidential or requiring special executive gifts or involving peculiar trust. About two hundred and fifty places were to be filled, as before, by appointment; but the appointment was subject to the qualifying examinations of which I have already spoken, or the appointing officers could, if they pleased, open them to limited or open competition. In these places, however, no actual competition has, I believe, yet been permitted. The remaining six hundred and fifty places could be filled solely by open competition. There are, besides the nine hundred places I have mentioned, perhaps one thousand nurses and attendants in hospitals and asylums, who, under civil service regulations, must pass a qualifying examination. These regulations, affecting as they did nearly two thousand places, were a very great step; and their moderation was a proof of the wisdom of the Commission. For even in social science associations, it will not be forgotten that the introduction of a great change in political administration must be tentative, keeping well within intelligent public support and sympathy. If the municipal experiments just inaugurated in New York and Brooklyn have the ample success which they promise, I believe the state commission will, at no distant time, transfer to the competitive schedule the greater number, if not indeed all, of the seventeen hundred places now subject at most to a qualifying examination.

In the spring of 1884, a year after this step was taken in New York, Massachusetts followed. A general law was enacted, under which regulations are to be prepared affecting both the state and municipal administrations. A bill for the reform of the state service was also introduced in Maryland, but it did not become a law. The political capacity of Americans is such that we may be fairly sure that in that and other states, the reform will be adopted with reasonable rapidity.

In the New York law of 1883, there was inserted a clause permitting the mayors of cities, having 50,000 inhabitants or more, to prescribe for their cities civil service regulations. This was done with little expectation of large immediate result; but in the hope that the permission might bring about wholesome municipal agitation. There were only seven cities whose mayors could exercise this power; and where the power existed, the law excepted from its exercise the police, health, fire, educational and law departments — departments which included by far the greater part of the municipal service. The mayors of the largest three cities of the state, New York, Brooklyn and Buffalo, deserve honorable distinction for promptly establishing civil service regulations under this law. The mayors of Albany, Troy, Rochester and Syracuse did not afford their cities this benefit. The regulations of New York, Brooklyn and Buffalo were modelled upon those of the state, making the competitive test compulsory only for clerical and like positions. The municipal experiments thus partially tried were so successful that within a few months the friends of the reform were able to procure from the legislature of 1884, a law compelling the mayors of all the cities of the state to establish civil service rules, from which should be excepted only the educational departments and a few officers of high rank or who had the keeping of money.

The practical application of this New York law of 1884 has barely begun;* but I do not hesitate to pronounce it the most critical piece of political administration now before us. It is nothing less than a vital and organic charge. It is being wrought out indeed with much prosaic talk and elaboration of detail, and in a half pedagogic atmosphere. It attracts, therefore, little public attention, which, from even thoughtful men, goes rather to the more obvious and striking political changes and those in which some personal element is involved. This law, however, applies to twenty-five cities having about half, or 2,500,000 of the 5,000,000 people of the state; spending annually between $35,000,000 and $40,000,000, while the state spends but $8,000,000; and having a civil service probably seven times as numerous as that of the state. Materially as the misgovernment and waste in these cities have been lessened in late years, it cannot be denied that when the practical effect of these laws began the other day,

* See Note at end of this Paper.

the political and personal abuse of patronage was very great. This abuse has indeed been by no means absent from the very best governed of the New York cities — oftentimes in spite of the sincerest and most intelligent efforts of their mayors. To reverse within a year municipal traditions as old as the century in the most populous, the richest, and, politically, by far the most powerful American state; to drive out of American politics the most dangerous single corruption, these are achievements we did not dare hope for so soon, and whose import for good is hardly less than tremendous. The change would be great, even if in these twenty-five cities, the competitive test were applied only to clerical and like positions, and the remainder were merely subjected to the qualifying examination. But the regulations prescribed in the summer of 1884, first by Brooklyn and then by New York, have not only, as the law directed, extended the reform methods to all municipal departments except the educational. They have besides in those great cities carried the competitive test vastly further than was a year ago fancied to be possible; they have carried it not only beyond the regulations of the federal and state services, but far beyond the practice prevailing in Great Britain or probably in any civilized nation. They have, indeed, abandoned any other test for admission to the offices set within the operation of the civil service law. This extension of competition is, however, neither hasty nor inconsiderate. It proceeds from a clear recognition that no lesser reform will sufficiently meet the evils of municipal patronage. So great a change, transcending as it does the experience of foreign communities that are still veterans to us in the work, is, I believe, of the highest sociological interest. I shall not, therefore, apologize for a brief account of the very fruitful experience which, in Brooklyn, led to the extension; for in Brooklyn the extension was first proposed.

The offices subject to the law of 1883 were, in Brooklyn, divided into competitive and non-competitive — the former including clerical and like positions, and the latter including positions of so-called "special qualifications," inspectors, engineers, foremen, and many others.

As to the latter, the option was with the appointing officer, either to nominate, subject to the approval of the examiners, upon a special examination of the nominee, or to open the appointment to a competitive examination, which might, as the appointing officer

directed, be open or be limited to certain persons whom he named. The appointing officer not unnaturally exercised his prerogative of nominating a particular person to the examiners, leaving to the latter the mere duty of categorically answering the question, "Is the candidate fit?" The English experience of these "pass" examinations had not been very promising. Of their civil service administration it was said, in 1858: "In the system of pass examinations, rejections are extremely rare, however frequent may be the failure of the strict or due proof of qualifications for being intrusted with the care of the lives and limbs of the population. The general avowal I have met with is to the effect, 'One feels it to be a serious injury to a family to reject a candidate on whose education they have spent much money, and one cannot help being indulgent.' It cannot be expected that much lenience will not prevail in favor of the parties present, at the expense of the unknown and absent public."*

Pass examinations had been provided for in the federal civil service many years before the Pendleton law of 1883; but they had become the merest forms long before the passage of that law provided much more efficient machinery. The embarrassments in the application of the qualifying examination in the municipal service were, however, far greater. The mere inconvenience of a separate examination for every appointee was a serious objection, unless the municipal examiners were, like the federal commissioners, to be continually employed. But the chief, and probably an insuperable objection, was the tendency of the qualifying examination to become perfunctory. A body like the United States or British commission, constantly engaged in its work, deals with so large a number of candidates that it can reach a standard of sufficient attainment. It is far removed from most of the appointing officers, few of whom are personally known to its members; and the latter come through ample and varied experience to rate, and doubtless to rate justly, their own knowledge of the qualities needed in the appointee, quite as highly as that of the appointing officer. Such a body may (although in practice it probably does not) answer the inquiry, "Is the man fit?" without an undue inclination to return an affirmative. But municipal examiners, in mere qualifying examinations from time to time of single individuals proposed for any given kind of place, cannot

* Journal of Statist. Soc. (1858), vol. 21, p. 18.

usually obtain the experience, or the range of men necessary to the establishment of a just standard. If the appointing officer, responsible as he is for the work in his office, says that A is one of the very sort of subordinates he requires, municipal examiners, knowing of course, far less of the work of the office than its head, will most reluctantly pronounce the appointee incompetent. After an examination of fifty men to say that one of them, A. has done the worst, requires no moral courage; simply because somebody in the nature of the case must be graded lowest, and because to place A at the foot is no harder than to place B or C there. If A complain, the examiners have the approval of at least the other forty-nine candidates. But if A, after painfully gathering together the varied weapons of influence and favor, at last overcome the appointing officer, and then come to the examiners, the case is very different. If they reject him he is injured and humiliated, and no particular person is benefitted. The great public is, of course, inattentive, and it is a contest between the examiners and the candidate, in which the latter has the good will of everybody. If he fail he ought doubtless to attribute his fate to his incompetence. But this, neither he nor his friends nor very possibly the public will do. And then the appointing officer is pretty sure to feel affronted. The examiners have declared his judgment bad in a matter relating to his own department. Etiquette and prudence prevent the examiners in many cases, where they might justly do it, from pointing out to him that he really ought not to be affronted,—because he made the appointment, as he knows, for personal or political reasons and not for fitness, whereas the examiners have considered fitness alone. It is quite idle to say that examiners ought to be firm and courageous and to ignore personal and other considerations like these. We have to deal with actual and not with ideal human beings. The personal element cannot be eliminated. The Brooklyn examiners were unwilling, therefore, to continue the "pass" examinations, and urged the Mayor for that reason, if for no other, to extend open competition as far as was prudent, and as to places where competition could not wisely be tried, to leave the appointing officers an undivided responsibility.

At the same time a curious and wholesome criticism of the reform system came from its enemies. They said that this or that appointment, made upon a qualifying examination, was a piece of favoritism. To this the reformers replied: "Perhaps it is. But

for this reform, however, all appointments would be pieces of favoritism; and now your complaint is not of any result of the reform, but is of one of the cases in which the reform does not operate and in which the very abuse you have supported, and now support, is preserved. If you will help the reform to reach the abuse, the favoritism of which you complain will no longer exist." But this defence, complete as it is, did not avail. These critics, not unnaturally, grouped all these procedures together, and regarded, and often quite honestly, every appointment upon a qualifying examination as a proof that the system was a pretence.

Under these two immediate motives the mayor and examiners of Brooklyn turned to the competitive test in the hope that some places, not clerical, might be brought within it. The examiners were permitted to try the test with inspectors of buildings, and with success. These officers required technical knowledge as masons or builders; and there was, therefore, neither practical nor theoretical difficulty in grading them according to that knowledge. It was not an unsafe assumption that practical thoroughness in inspecting would generally run with technical knowledge of the work to be inspected. Other like examinations followed, and with the same success. Of these the examination of candidates for foremen of gangs of laborers upon street repairs was a crucial test of competition, whose success, leading, as it largely did, to the extension of competition I am discussing, deserves a brief account. The proposal to competitively examine these foremen roused great opposition; and was generally pronounced unpractical, if not absurd. The sincerest friends of the reform doubted and even distrusted so extreme an application. Innate force, vigor of will, the ability to make other men work, were the real qualifications of a foreman. And how could these be detected by scholastic questioning? The technical requirements, it was said, were too slight and vague to be subjects of examination. The general reply was the statement of the *rationale* of a complete competition, which I shall by-and-by present. The large opportunity of abuse in precisely these places, it was further replied, made competition there eminently necessary. The very difficulty of formulating and measuring the merits of so subordinate an officer as a foreman, it was pointed out, made the places peculiarly open to political and personal scandals. The defects of a bad foreman were not so obvious as to be readily drawn to the public

attention. For this reason and because the foremen were necessarily close to masses of voters, these places were very dear to "political workers" and easily open to abuse.

The present mayor of Brooklyn*, with the devotion to fair and open methods, and the liberal, yet prudent courage, which are so natural to him and to which reform owes so great a debt, resolved at least to try the experiment. The competition was held with a success which surprised those who had been averse to even an experiment; and surpassed the hopes of those by whom it had been proposed. The men were graded: first, upon their own account of themselves, their occupation and experience; next, upon their knowledge of the requirements of their work, the necessary tools, the number of men who could be worked together, the manner of laying paving stones, and like matters; and finally, but to a much less degree, upon simple arithmetic and writing, to show a general intelligence sufficient to enable them to make daily reports. The examiners, it ought to be noticed, were new to the work and had no precedents or traditions to guide them. But the conclusions they were enabled to reach were so nearly accurate that the department concerned, though it had viewed the experiment with much more than apprehension, admitted its success. The department knew most of the men; and so far as it knew them, the examination had substantially graded them in the order of their merit as shown by the actual work they had formerly done.

The result, therefore, of this examination, and of like examinations for inspectors of plumbing, street inspectors, sewer inspectors, levellers, rodmen and watchmen, showed that open competition was no less satisfactory a test for varied and special positions than for the clerical positions to which it had been formerly deemed chiefly applicable. After these successes, such was the admirable temper of the Brooklyn administration, that the heads of the departments subject to the law, although not so required by the mayor's regulations, surrendered nearly all positions to open competition. And open competition was in practice the rule in Brooklyn when the New York law of 1884 went into operation as to cities on 29th August last. In no other community, as far as I know, had it been so completely established.

Agreeably to this experience, and early in July, 1884, a sketch was made of regulations to be applied under the law of 1884 to

*Seth Low.

all the departments of Brooklyn except the educational. These regulations proposed an almost universal application of the competitive test. On the 28th July they were submitted to the state commission, which, for wise reasons of uniformity, are given the power to disapprove municipal regulation. After an attentive and thorough consideration by that commission, the regulations were approved and promulgated late in August. About the same time the new regulations for New York City, under the same law of 1884, were published. These were drawn by Everett P. Wheeler, E. L. Godkin and E. Randolph Robinson, at the request of the mayor of New York; and form an admirable and thorough code for the selection of civil servants, some of whose skilfully devised detail is not elsewhere to be found. In treating the police and fire departments, whose treatment is at best involved in many difficulties, they followed the interesting report made by Edward Cary, and others of the Civil Service Reform Association of New York. This report clearly presented in theory an important and probably novel conclusion which the authors, so far as I know, had reached independently, but which had already been practically adopted in Brooklyn. This conclusion was that physical qualifications, general character and experience might be matters of competitive examination to be marked for the grading of candidates, precisely as literary qualifications are marked. The new regulations for New York and Brooklyn subject to open competition the civil services of those cities excepting important officers, heads of bureaus, persons in confidential positions or having the custody of money, employees of the educational department and of the board of aldermen and laborers. Omitting chief executive officers, day laborers and employees of the boards of aldermen and education, the excepted positions in New York are, I believe, less than 150 in number, and in Brooklyn about 60. The new regulations open to free competition in New York probably about 6,000 positions, and in Brooklyn about 1,300. For a few months, under the limited regulations adopted under the law of 1883, about 350 clerical positions in the two cities had indeed been open to competition, the remainder being still within the conditions of patronage. But a year ago its spoils included, at this great centre of American life, all of these 7,000 places, now happily subjected to free competition.

I have ventured to be tedious in describing this great step. This detail ought to be recorded; and the narrative cannot well be made vivid. It is indeed the sort of dull and quiet procedure in which are so often effected profound and far-reaching political changes. How serious is the change will be obvious upon very slight consideration. The shameless pecuniary corruption in New York City, which years ago was proverbial the world over, was in large part created and preserved by patronage which is now abolished. The grosser forms of corruption have, in later years, it ought frankly to be said, largely disappeared. The superior and inferior municipal service of New York have recently had and now have very many intelligent and upright officials. But patronage has remained a seriously demoralizing and debasing influence. Nor has the influence of New York patronage been confined to that city. Appointments to its civil service have been distributed throughout the state, even if they did not go into other states, in order to secure legislative or executive influence. Federal politics, but little less than state politics, have been swayed to and fro by the exigencies of the manipulators of this patronage, controlling by it, as they have been supposed to do, compact masses of voters, of critical moment in state and federal elections. And as the public life of that great city has been far more conspicuous than that of any other American community, so the moral evil of its example has been wider and more potent.

You will not, therefore, think the speaker magnifies his theme when I rate so highly the importance of the transfer of seven thousand offices at the very centre of the nation's public life and public opinion from the domain of personal and partisan favoritism to the field of open and impersonal merit. These places are probably half as numerous as the places now under the operation of the federal civil service law. The money annually paid to those who fill them is not probably greatly less, and so compact and disciplined a body have been these urban office-holders, in the midst of the heterogeneous and shifting population of New York, that their direct and immediate political effect has probably at times been far greater than that of all the federal officers affected by the Pendleton law. It may, I believe, be said with sobriety, that within the present generation, if there be excepted the abolition of slavery, the solidification of the federal union, the extension of the suffrage and the resumption of specie payments, no single

political change has been so vital and so full of beneficent promise as this almost complete establishment in these great cities of open competition. It is, as John Stuart Mill said in 1855, of the proposal to establish open competitive examinations in the English service, "one of those great public improvements, the adoption of which would form an era in history."

Such, then, has been the fruition in the federal government in the great states of New York and Massachusetts, and in their cities, of an agitation only about seventeen years old. In the most important single arena of the contest, open competition, the real crown of the reform, has been carried further than in Great Britain thirty years after the establishment of the first British civil service commission. Without having an accurate knowledge of the civil service of other lands, and without daring to prophesy with certainty what will be the practical results of civil service administration in the cities of New York and Brooklyn, I do venture to doubt whether any other municipality in the world now has a wiser, more complete, or more scientific code regulating admission to its civil service than those cities.

I said some time ago that the great question now left to civil service reformers in American cities is upon the merit of the open competitive test. Is it intrinsically the best, or is it a mere makeshift from which we shall seek to escape as soon as existing dangers seem to permit? Upon this most serious inquiry I had intended to make the chief part of this address. But I have found so much to say upon what was meant to be preliminary, that I shall be content with an outline of the ample discussion I had intended. Open competition is simply a new subdivision of labor. The selection of civil servants is itself a kind of work in which those who do it will grow more and more expert through especial study of the peculiar problems attending the work, and through steady and systematic attention to the details of its performance. There is the same fatuous resistance to this specialization that there has been to the division of mechanical and commercial labor. There is the same thoughtless praise of an untrained and disorderly exercise of common sense, as something mysteriously better than the trained and orderly exercise of common sense. A superior, busy with other matters, from which his attention must be diverted to select a new subordinate, under every temptation, as he is, to give the slightest possible consideration to an occa-

sional task which interrupts his ordinary and familiar duties, has, it is believed, in this as in nothing else, an extraordinary and subtle power of finding out human nature. His keen insight, a sort of fancied "mind reading," discovers the character and ability of a candidate in a few moments desultory conversation with him, and from the brief testimony of others, testimony which is rarely scrutinized with thoroughness. This is a mere superstition. And the superstition feeds upon the vanity which almost every man cherishes, that he has an exceptionally trustworthy genius for reading at a glance the faces, the bearing and the manners of men. The blunders which the wisest of men continually make in their estimates of acquaintances, or even friends, the accounts we read every day in the newspapers of the amazement felt by private and public employers at the suddenly discovered dishonesty of their cashiers, book-keepers, confidential servants, the common over-estimate which we, who look disinterestedly at our neighbors' affairs, perceive to be made of the ability of men by those very close to them — all these show how largely imaginary is the accuracy of mental perception supposed to exist in an extraordinary degree between employer and employee.

The fact is, that in general, when a superior selects a subordinate, he simply does a piece of work in which he is not expert. He is too apt to reach a generalization, which, to use Mr. Galton's expression in the "Fortnightly Review" for August, 1883, "is nothing more than a muddle of vague memories of inexact observations." As with all work about which everybody knows at least a little, there is rarely, of course, the obvious and utter failure of an unlettered man who attempts to read a dead language or solve the problem of an eclipse. But failures are still common; and as soon as there comes to be an order of employers, made highly expert, as the new civil service rules contemplate, and with whose work may be compared the work of ordinary untrained employers, we shall find that failures have been vastly more common than we supposed.

There are, indeed, rare instances like Napoleon, or some modern railway organizers, where an amazing and almost incomprehensible rapidity and sureness of mental instinct do, in the selection of subordinates, what, in other instances, can be done only by trained ability acting in the light of experience. But, in the conduct of employment, it is as absurd to act upon these exceptions as it

would be, upon the career of Benjamin Franklin, to advise scientific aspirants to avoid formal scientific training, and to engage in the pursuits of the editor and the publicist. The heads of governmental departments, of municipal and great corporate bureaus are rarely geniuses; and to obtain the best results, system and a scientific attention to details are essential aids to that mediocrity of practical ability which is almost universal, and upon the assumption of which the rules of administration must proceed. It ought to go without saying that where the employer does not have, as very few employers have, an extraordinary gift for detecting ability and virtue, it is not possible that he should do the work of selecting employees with the success with which it will be done by men chosen for their aptitude for the work, men who enter upon a special training in its performance, men who by experience acquire a facility in detecting imposture, and learn how to read the exterior signs of ability.

This would not, I fancy, be disputed, but for three assumptions: (1) that the selection of subordinates is an essential part of the duty of the director of an executive work; (2) that the selection of a subordinate can be done well only by one who is practically and immediately engaged in the work to which the subordinate is to be called; and (3) that no examination can measure vital energy and good sense, which, after all, mainly determine the efficiency of any official. From these assumptions, arise the opinions of very many friends of reform, who assent to the competitive test as no more than the best practical device to prevent the operation of dangerous or improper motives upon the appointing officer.

These assumptions I believe to be ill-founded. It is not an essential part of a superior's duty to select in the first instance, his business subordinates, though it be afterwards indeed an essential part of his duty to determine whether the work be well done, and in that determination, necessarily to measure the merit of those subordinates. The reform methods are therefore far more important upon admission to the civil service than for promotion within the service. An important officer usually needs, of course, the confidential services and advice of some one having with him a personal sympathy, with whom he can readily and agreeably confer, who is eager for the personal prestige of the chief which will arise from official success, and who shares his own views of administration. This assistant is a private secretary or deputy. But

as to the other subordinates, those whose work is regular and of one kind, whatever the policy of the office, — to select these in the first instance, is a burden to the chief. It is a serious waste of his vital force and efficiency, to leave the executive work which he and his subordinates ought to do, and attend to the utterly different work of weighing evidence about the merits of men, none of whom are now serving him. If the main work of his office be, as it should be, important and engrossing, his experience in the first choice of subordinates can have been but irregular and subsidiary to other labors; and the attention he can spare to it will, at best, be only desultory and unsystematic. There is probably no important executive, in political or private life, who does not bitterly complain of both the personal burden and the interference with his normal duties caused by the appointment of inferiors, and of the serious difficulty he has in finding suitable assistance. What the head of an office needs in the performance of executive or creative work is to have disciplined force supplied him, as fuel, water and machinery are supplied an engineer. The engineer can, indeed, measure and care for those necessaries after they are given him; but he cannot advantageously be diverted to the finding of water or fuel, or to superintend the construction of the machinery. The skilled workman may often, doubtless with advantage, prescribe the general design of the tools he uses; but he wisely pays for the skill and labor of the manufacturer and dealer who make and find the precise tools he wants far better and more easily than he can. These tools are made by men who do nothing but make tools, and whose time is not consumed in using them. They will, therefore, be made with a pains and under a guaranty, and in the light of tests and experience, which the busy workman cannot use, unless indeed, he leave his own work.

Nor is it true that the original selection of a subordinate ought to be done by a man practically and immediately participating in the work which the subordinate is to do. In a large number, if not indeed in much the greater number of cases, the superior, whether in public or private service, does not so participate. He judges of the workman by the value of his work, as you do of your cook by the dinner she serves, or as you do of a music teacher by the performance of his competent pupils, and not by his own. But beyond this, it is to be noticed that a civil service examination is not designed to, and cannot measure the merit of the work which

the candidate does in his place, and which must be done after the examination. Such an estimate must be based upon observation of the work through a sufficient period of time. That observation, in the nature of the case, belongs to the superior. To permit that very observation, civil service rules make original appointments simply probationary. The final appointment is the act of the superior done after abundant opportunity to observe the ability of the probationer in actual performance, without the superior being himself diverted from or disturbed in his own work during the process of observation. And to give complete effect to the judgment of the superior he ought generally to retain under proper rules, a complete power of dismissal, even after the probationary period has expired. The duty of civil service examiners, on the other hand, is not to observe and measure actual work done in the position sought. It is the very different duty of weighing such evidence as can be at once and briefly presented upon the question whether the candidate be likely in the future to do the work. It is the question whether he, or another person shall be admitted to the final and determining test of some actual performance of the duties of the office. And in this final and decisive examination, the superior must be the sole examiner and judge. This, indeed, is the true qualifying or "pass" examination, to which, in the very nature of the case, only one candidate can be admitted.

It is also to be said that the places now under discussion are of a conventional type, places in which is required a sort of skill and training which numbers of men in the community possess. How far his character and experience in a well known kind of work are shown by the candidate's own account of himself and others' account of him, and by the partial and hasty performance possible in an examination,—intelligent men, aided when necessary, by experts, can judge as well as the head of a bureau. They will, indeed, judge much better. For in the very work of the examination, as I have pointed out, the examiners experienced in precisely such examinations, will be experts, applying their tests with a facility, thoroughness and scientific accuracy possible only to those who have been trained to that sort of work.

The third and most popular objection to competitive examinations is, that they do not reach the native force, the staying quality or endurance of men, and their practical tact and dexterity. I shall frankly admit that an examination of a candidate, such as

the exigencies of the public service permit, does not adequately reach these qualities. They can be reached only by his actual trial for a sufficient length of time in the very place to be filled. Hence the necessity of a probation; hence the reservation to the superior of the final decision and of the power of dismissal. If these qualities cannot be adequately reached by a civil service examination, still less, and far indeed less, can they be reached by the vague, careless and hasty tests applied under the old system of personal appointment. But a competitive examination can reach these qualities, if not conclusively, yet with a good degree of accuracy. The objection that this is not done by a competitive examination chiefly arises from faulty conduct of the examination, or from the limited and imperfect ideal of a competitive examination which has until very recently existed. Such an examination is commonly but erroneously fancied to be purely literary, a mere series of formal written tasks. May I not therefore, as the closing part of this discussion, outline what seems to me to be a complete competitive examination, an examination which measurably reaches the vital qualities of the candidate?

A competitive examination for the public service ought, as I have already intimated, to test the candidates in all the points which are deemed material in private employment. If a man you have not personally known apply to you for a position, your judgment of him, if you be careful and thorough, will be formed upon five considerations:

1. The man's general and spontaneous account of himself. You question him about his occupation and his experience. The substance, the fulness, detail and frankness of his replies all produce upon you an impression which largely colors your estimate of the other evidence you have of him.

2. The man's reputation. This usually and justly, and especially where the man applies for a place requiring experience, has great weight.

3. His appearance in respect of physical ability.

4. His exhibition of general intelligence.

5. His exhibition of practical and immediate knowledge of the kind of service he is to do for you.

There is occasionally, perhaps, apart from these, a certain subtle fancy of face or of bearing which influences the employer. But what is imagined to be a mysterious inclination of personal

liking is ordinarily resolvable into the results of the man's own account of himself, his physical appearance and his exhibition of general intelligence. Where some of these results do not determine the fancy, it is apt to be a caprice, wrong perhaps quite as often as right, and too inappreciable to be deemed a main factor in the conduct of private employment, or to be worthy of a generalization.

These, then, are the five elements which enter more or less consciously and distinctly into the consideration of a private employer. The relative weight to be given to them will of course vary for different positions. But it goes without saying that no intelligent man employs a servant, however humble or however important, while regarding with absolute indifference either the servant's own account of himself, or his neighbors' account of him, or the appearance in him of general intelligence or of physical or technical ability. If the servant is to do the lowest order of physical work, you may indeed be content with mere physique; but if the candidates have equal or nearly equal physique, you will do unwisely not to take the candidate who gives the best account of himself, or about whom other people give the best account, or who shows the most general intelligence or knowledge of the work he is to do. If the work be of a highly intellectual and technical character, and in general and technical knowledge the candidates be alike, you are sure to be influenced by superiority in the candidates' own presentation of their merits or in their reputation or even in their physical strength. You do, indeed, sometimes overlook serious deficiency in one or more or most of these elements because of superiority in others. Or because you can get no better help, and because you must have some help, even if it be unfit, you may take a servant who has none of these elements in a proper degree. In either case, however, what you do is done in spite, and not because of a deficiency in any of these elements.

You will, I hope, observe that the five points I mention are not absolute qualities of the candidate. They are merely five kinds of evidence. And it cannot be too much accented that the act of either public or private employment proceeds in the first instance not upon actual performance but upon evidence of what the performance is likely to be. The retention or promotion of the servant on the other hand proceeds upon actual performance. In other words, the preliminary employment, whether public or

private, proceeds upon examination; and the question is at best what shall be the nature of an examination which in some form or other is an inevitable preliminary to employment. Shall it be the occasional task of a private employer, called to it from his regular work, done hastily, with impatience, with no accurately recorded traditions to guide him, reaching his result by a sort of guess-work, which is very rough at the best, sheerly dependent upon a particular kind of mental keenness and facility, and often unconsciously vitiated by personal caprice and momentary temper? Or shall it be the task of examiners, whose number greatly reduces the personal element, who use the results of the recorded observation of themselves and other examiners upon the same matter, who use the results of their observation of the careers of men actually appointed upon examination, showing, as those careers will, what is better and what is worse evidence, on the moment, of what will be the future performance,—who use the results of their experience in ranking one element higher and another lower, and who use a skill and experience which only practice brings, in detecting shams and superficial acquirements?

Now, a true and scientific competitive examination will seek, as I have said, to do what an intelligent private employer seeks to do, but can do less perfectly. The competitive examinations will be directed therefore to the five sources of information I have mentioned. It is said, however, that although general information and technical knowledge in those branches whose learning is formulated, may be tested by competitive examination, the same test cannot be used for technical ability in other branches, for character, experience, physique. This is an error. The school or college examination is the popular ideal of a civil service test. And it is, indeed, the type of most civil examinations in the past. One sees in the annual reports of the British civil service commission, a formidable array of questions in Greek, Latin, Hindoo, history, literature, political economy and the higher mathematics. All of this may, indeed, be a part, and for many places it ought to be the chief part of the examination. I admit, and indeed insist, that this test by academic interrogation often exhibits the vital energy, the readiness and industry of the candidates, those chief qualities which indeed bring success in any field of work. But it is, after all, a partial and imperfect examination, very properly open to criticism even in positions for which clerical ability and

learning are the chief requirements, and totally inadequate for a great class of positions, which ought to be, and in New York and Brooklyn now are, brought within the competitive test. The true civil service examination distinctly touches all of the five sorts of evidence I have mentioned. This I can better show by describing the competitive examination contemplated by the new regulations of New York and Brooklyn, and such as have been practically tried in the latter city.

The candidate is first required to state his own case. He is asked about his occupation, past and present, and his own ideas of his equipment for the place he seeks. He is asked where, when and by whom he has been employed, why he left his employment, and why he now seeks a new employment. He is asked his experience, if any, in the precise kind of work to be done, and the times, places and auspices under which this experience was attained. His answers to the questions constitute his "experience paper." This paper is marked as you might mark a paper in Greek prosody. A weight is given to the paper relative to the rest of the examination, according to the nature of the position. The ability to properly present his case, to be presumed in an applicant for the particular position, is carefully regarded. This part of the examination is strictly analogous to the testimony an applicant himself gives when he comes to your office for employment, — testimony by which every wise employer is materially affected. Two objections can be made to this. Some men are cleverer than others in stating their merits, and some men may intentionally falsify the facts. These objections have, however, precisely the same, and no more force in public than they have in private employment. Safeguards may be as thorough in the former as in the latter. The opportunities for detecting mere skilfulness or unskilfulness of form or positive imposture, in a carefully conducted competition are very considerable. The provisions for punishing deceit are ample, or can be made so. And the errors which will arise in either case, will be either eliminated or reduced to a minimum by the remainder of the examination, by the testimony of other men, by the exhibition of general intelligence or technical knowledge, or by the more obvious evidence of physique.

The candidate, as the next part of his examination, presents his testimonials. These are marked and graded, the relative weight given them in comparison with the rest of the examination, being

of course, determined by the position. For watchmen, for instance, this part of the examination has very great weight. Testimonials, it ought to be said, are required as a condition of admission to the general examination. But as these preliminary certificates may easily be perfunctory, or even worse, their authors are sought out and required to answer a series of written questions which should avoid the categorical form and be made as searching as possible. With an adequate machinery for the civil service system, it will be practicable to adopt the further improvement of having the examiners orally interrogate the authors of the testimonials, their replies being stenographically taken and recorded. The statements thus gotten constitute the examination of the candidate's "reputation." These statements are marked and graded. The objection that this procedure gives advantage to the man who has many friends, or to the man whose friends are astute in the form of their statement or mendacious in its substance, are again objections quite as applicable to private as to public employment. These are inherent difficulties in every effort to obtain information about men. No rational system can be devised in which merit that is known will not have an advantage over merit that is unknown. The skill and experience of the examiners in scrutinizing testimonials, their power of examining other witnesses, and the results of the other branches of the examination all afford reasonable checks against errors.

The third matter of examination is the physique of the candidate. Mere proofs of generally sound health would, perhaps, be sufficient for many places — like ordinary clerkships. As no one is admitted to any examination, unless preliminary proof of this kind be submitted, physique need not, in such cases, be the subject of ranking or grading. Theoretically, indeed, in every place, although the work be purely mental, a preference between healthy men ought to be given to the stronger, as presumably capable of more endurance, even in mental work. We may, perhaps, come to this in the future, with ampler machinery and a more vigorous popular support. This would, perhaps, be a fair revenge upon us lean, feeble and decayed *doctrinaires*. In places like policemen, watchmen and firemen, physique, however, is one of the most important elements. This part of the examination affords comparatively little opportunity for deception; it is, of course, conducted by experts, and can be made the subject of reasonably accurate grading.

That physique can be satisfactorily rated is admirably pointed out in the report of the Civil Service Association of New York, about the police and fire departments of that city. "There have been developed," that report says, "largely by the intelligent labors of Prof. D. A. Sargent,* of the Hemenway Gymnasium, of Harvard University, a simple, practical and scientific system, which brings out clearly the general physical capacity of the man examined, together with his special points of superiority or deficiency. The direct examination consists of a series of body measurements, taken after a uniform plan, and a corresponding test of each of the parts measured, as nearly as possible. The strength of lungs, back, chest, legs and arms is taken by means of ingenious but simple spirometers and dynamometers, made for the purpose, and carefully adjusted. The sums of the tests for strength are then compared with the sums of the measurements of developments of the corresponding parts. What a man can do, is thus contrasted with what he ought to be able to do, and the ratio between the two fixes his relative standing." Without, however, so careful and minute an examination, it has been found perfectly practicable in Brooklyn upon a competition for watchmen, for the physician expert to grade the candidates. "Pass examinations" in physique, are, of course, universally known in the military, naval and police services, and in life insurance. In these a minimum is fixed. But, where a minimum can be fixed, a further grading is practicable. Indeed, the numerical expression of physical merit is probably easier than a like expression of the merit of scholastic knowledge.

The fourth test is some exhibition by the candidate of his general intelligence. This rouses, perhaps, more jealousy than any of the other tests. It is a jealousy, however, ill founded, or which arises, not from the mere requirement of such a test, but from needless faults in its application. There is no calling which does not have some exterior relations, superiority in which gives advantage of efficiency in the calling itself. To every place in business, to every specific work, to every specific income, each community unconsciously assigns a rough amount of general intelligence as appropriate, if not necessary. If a man do not have that intelligence there arises, to say the least, considerable doubt of his ability to fill the place, or do the work or earn the income. This will hardly be disputed. It is doubtless conceivable that a

*Chairman of the Health Department.

man may be an expert and useful book-keeper and yet believe the United States to be a kingdom. It is possible that a good inspector of plumbing may think that London is the chief city of Persia. Yet, if in a man who seeks to be a book-keeper or a plumbing inspector of good rank and entitled to a liberal salary, we discover ignorance so great, we justly enough suspect some mental defect, some failure of adjustment to environment which may be a serious obstacle to the continuously efficient performance of work in which he must act with or over men, however unrelated the work may be to the political constitution of the land or to the sites of famous cities. For no occupation is isolated. The competency of the humblest day laborer depends in part upon his ability to meet those unusual emergencies which sometimes arise in even his calling, and need intelligence he does not ordinarily use. His competency depends in part upon the respect in which his associate laborers hold him; and that respect is largely measured, as every observing person must have noticed, by their estimate of their comrade's general information. In some occupations this consideration will, of course, weigh much less than in others. It is of slight moment in a farm-laborer. It is of real importance in a policeman. It may possibly be the chief requisite in a foreign consul.

There is, besides, a further consideration, which is by itself worth an ample discussion; but which I may now only touch. General intelligence, misleading as it sometimes is, affords the easiest, and on the whole, a pretty sure proof of mental power. Such intelligence, when it successfully meets a series of distinct and varied inquiries, itself probably comes from alert powers of observation, from precision of attention and from mental readiness, adaptability, persistence. To have these qualities in a good degree, if it do not perfectly equip a man for the immediate performance of very technical duties, still gives reasonable assurance that the especial duties of most ordinary positions will be easily learned. General intelligence and general force are often, indeed, far more important than actual experience. The value of experience in most places is enormously overrated. The heads of bureaus, who in the days of patronage had no supreme concern for experience, are apt now-a-days to insist upon it very strenously to civil service examiners. It may well be that the mere fact that after long experience in doing a particular work a candi-

date seeks a position to do the same work, itself shows his ability or vitality to be of a low order, so low indeed that he gives no promise of growth or improvement. And in employing men for many junior places in the civil service, if the service is to gain a permanent character, it ought to find those who are likely to earn a promotion. The civil service ought never to be, as under most reputable administrations it has to some extent been in the past, an asylum for either incompetence or decay.

The fifth and last division of a complete competition is the examination of the practical knowledge the candidate has of those things necessary to the work he seeks. The importance of this goes without saying. Every one believes, where the place needs some particular knowledge which cannot be gained in very brief practice by a man of proper general intelligence, that such knowledge should be a chief subject of the examination. The popular mistake has indeed been in attributing an almost exclusive importance to this element. The error is doubtless largely responsible for the belief, but lately so general, that competition could not be extended to places not needing a technical and formulated knowledge. In the selection of a scientific expert this element of the examination ought doubtless to have great preponderance. But if candidates for policemen, watchmen, firemen have proper physique, character and general intelligence, they may be safely trusted to learn in those places facility in their especial duties.

Such, then, are the five divisions of an examination. Such is the true competition to which all candidates for the business places under government ought to be admitted, and by superiority in which alone they ought to succeed to the final test of a probationary performance of the duties of those places. Such is the fair and impersonal field now open in place of the secret and narrow lane of personal and partisan favoritism.

There will not come to this refom, however, a complete and immediate triumph. The prejudices surviving from the favoritism of the past, the suspicion that civil service commissioners and examiners are, in spite of the lofty ideas they preach, like all appointees of political officers — the slowness with which a new device becomes known and trusted — all these will, for a time, prevent many of the best men from entering for the examinations. And then much will be said against the reform with apparent

reason. The friction and disarrangement, and the embarrassment of the public service, which inevitably attend the inauguration of every great administrative change, will be said, with more or less honesty, to be a permanently necessary result of open competition. The mistakes of examiners new to the work and without the help of recorded experience and of those traditions, which it will be their duty to accumulate—these faults will again and again be attributed to the reform itself. The new work will doubtless now and then be discredited by the open hostility, or, what is worse, the secret hostility, of executive officers. Unfit appointments will occasionally come out of open competition, for the plain reason that the test, though better than any other preliminary test we know, is still, like other human devices, imperfect. Every unfit appointment, however rare, will be widely told of as the natural fruit of the reform. The blunders of the old patronage, though ten times as numerous and ten times as serious, having drifted into the vague and obscure past, will be forgotten by every mournful *laudator temporis acti*. The nine out of ten candidates who fail of success will no longer abuse the appointing officers as they used to do; and as the publicity of the examinations and of their reasons will shield the examiners, they will be sorely tempted to abuse the reform itself. But in spite of all this, so plain is the justice of open competition, so shining and solid its merits, so persistent to final triumph is the common sense of American politics, that popular support, rarely active and rarely zealous as it is in things of this kind, will grow steadily stronger and broader. We shall, before long, see every wise politician pronounce open competition a political axiom.

When there is reached that complete establishment, which some of us will live to see, of open competition for all offices, not essentially political, in the United States and in their various communities, the secondary results of the reform will doubtless be far greater than the primary results. Official places will come to be more scientifically classed, and their duties better divided, through the generalizations necessary to the arrangement of competitions. The compensations of officers doing the same work will not, as now, capriciously vary in different departments within the same city. The temptation will disappear to unnecessarily employ new subordinates, and to treat those already employed with undue indulgence. The motives of executives to economy of

administration will become keener. Official prestige, a wholesome *esprit du corps*, and a higher standard of honor and efficiency among public servants themselves will arise. On the other hand a wise jealousy on the part of the people will be better directed towards public officers as public servants, who have no other right to their places than in the faithful doing of their duties. All these things will soon follow the reform. And when 125,000 officers throughout the United States are selected by fair and open tests, which stimulate to the highest order of excellence, the effect, by example and by contrast, will, it is not unreasonable to think, be prodigious even upon private employments,—first, upon the great corporate organizations and then upon the smaller staffs of merchants, bankers, manufacturers. A higher standard of competence and character for every service will be set up in the community.

This gathering regards, however, with intelligent anxiety wider and deeper social problems than even efficiency and honor in the *personnel* of the public service. Last, therefore, and to you doubtless chiefest, is the effect upon greater matters of the withdrawal from politics of patronage, so often the chief though false element of political agitation. Here is the richest promise, here the most abiding splendor of the reform. Taxation, rights of persons and property, the prevention of crime, the punishment of criminals, the treatment of those whose crimes are normal fruit of social wrongs, the removal of legal restraints upon innocent freedom, the ampler performance by government of the constructive functions which higher civilization brings,—all these are questions lying near us in the future, questions which, to reach the practical stage, must become essentially political; but which in politics cannot be treated with sufficient honesty or intelligence until there are beneficently removed from politics the distractions of odious and sordid personal ambition. These are indeed the highest legitimate subjects of legislative discussion and of executive action. But they have been darkened or altogether hid by the enormous part in politics which patronage has played. Now at last they will be heard in primaries as well as in the ostentatious and often insincere utterances of the greater party conventions. The political gatherings of citizens will again find their chief concern in the honest and thoughtful treatment of those great problems, out of whose solution will come the larger, the steadier, the more enduring blessings of the future social life.

NOTE: May, 1885:—Since this paper was read, the work of establishing the reform methods in cities has proceeded with great rapidity in New York and Massachusetts. The fundamental principle that open competition is to be the general test, and that appointment upon a mere pass examination, or without any examination, is to be permitted only for exceptional reasons, has been thoroughly established in most of the cities of New York. The mayors of only a few of its smaller cities have omitted to obey the requirement of the law of 1884, that they prescribe civil service regulations. And the regulations so far adopted have been based in substance upon the thorough and almost sweeping regulations prescribed by the mayors of the cities of New York and Brooklyn, and described in the foregoing paper. The large cities of Buffalo, Albany, Rochester, Syracuse, Troy, and most of the smaller cities, are now guarded by rules which are probably superior to those which govern admission to the civil service of any city not within the State of New York.

These cities have not, of course, worked out the details of administering the reform without many embarrassments and difficulties. Most of the civil service examiners have been new to their work; and the work has been new to their communities. Many honest jealousies, and some dishonest ones, have obstructed the work. The traditions and practice of such a reform are always established slowly and with difficulty. There has been a natural, even if not always a wise, timidity on the part of examiners in fixing the moderately high standard which tends to place the system beyond that contempt of "practical politicians" to which an easy good nature may expose it, and which is far more dangerous than active hatred. The system is rapidly taking deep root in the cities; and, under the protection of the law, that changes in the municipal regulations, which are once established cannot be made without the approval of the State Civil Service Commission, it is reasonably well assured that the changes in administration through which the cities must pass this year and next year, will not endanger the permanence of the system.

Petty efforts have been made in Buffalo, and perhaps in one or two other cities, to cripple the civil service administration by refusing adequate appropriations, but with only trifling success. In the New York legislature, a dangerous effort was made to break the effect of the civil service law by exempting soldiers and sailors of the late war from its operation; the effort failed as it did in Congress, but has been renewed in the legislature of Massachusetts.

Since the paper was read, the regulations of the civil service commission of the latter State have been promulgated and their administration has actually commenced. They are of great interest as being the first effort to establish rules to prevent political abuses in the employment of day laborers. In other respects, the Massachusetts regulations are more restricted than those of New York, the former applying only to clerks, prison attendants, firemen and policemen. These classes are, however, of very great importance; and it was deemed wise in Massachusetts to commence the reform system with a few general classes. The laborers governed by the Massachusetts regulations are those employed in the public departments of Boston. The civil service commissioners are to gather lists of applicants for these places, with information as to age, dependency of others upon the applicants for support; military or naval service; previous occupation; references and personal description. When a requisition for laborers is received the civil service commission is to send to the department requiring of them the names of twice the number of men required. There is no provision for an examination of the laborers; but, in answering a requisition, the civil service commission is to make "an impartial selection by lot, or otherwise, giving preference, other qualifications being equal, to those who have served in the army or navy of the United States in time of war, and have been honorably discharged therefrom, and to those having families depending upon them for support."

In the "impartial selection by lot, or otherwise," there is a vague grant of power which is perhaps open to criticism. Civil service commissions ought to act upon a strictly impersonal procedure, the terms of which are public and precise. It would not be reform to substitute the mere personal choice of civil service commissioners for the like choice of other political officers. The preference of men with families

looks towards a principle of dubious correctness; but it may, perhaps, be defended as one method of picking out men who have given hostages to society for their steadiness and industry. It is to be hoped that a practicable, and not cumbersome, method may be discovered of grading laborers upon their recommendations and former work and experience.

It will not be improper, as this note becomes part of a record for reference in the future, to point out the surprisingly rapid progress which the reform idea has within a few months made in the nation at large. The party in power has changed. And within three months after the change we find the integrity of the federal civil service statutes and the administration of those laws to be secure beyond even doubt or discussion. More than this, we find established, though still under discussion, the rule that officers appointed for terms shall not be removed during their terms because of political opinions. More than this, we find the general rule rapidly proceeding to establishment that merely administrative officers, although not entitled to specific terms and not protected by the civil service law, shall continue in place if they render faithful service and do not practice partisan abuses. And more even than this, the American executive has commenced to reappoint or to promote administrative officers of high rank, although their political opinions differ from his if they have rendered important services to the public. These reappointments or promotions are still few; public sentiment is barely ripe for the practice; but step after step is being taken which will not be retraced. The chief satisfaction in this does not lie in the behavior of any man, or body of men, but in the permanent advance of public sentiment which has made these steps possible. And at present, it seems almost as important to insist upon the wisdom of not going beyond vigorous and solid public sentiment as upon the necessity of finally refusing to surrender any ground which has already been won.

JOURNAL

OF

SOCIAL SCIENCE,

CONTAINING THE

TRANSACTIONS OF THE AMERICAN ASSOCIATION.

NUMBER XXI.

SEPTEMBER, 1886.

SARATOGA PAPERS OF 1885,

WITH A SYNOPSIS OF

SOCIAL SCIENCE INSTRUCTION AT AMERICAN COLLEGES IN 1886.

PUBLISHED FOR THE

AMERICAN SOCIAL SCIENCE ASSOCIATION,

BY CUPPLES, UPHAM & CO., BOSTON, AND G. P. PUTNAM'S SONS, NEW YORK.

1886.

EDITED BY

F. B. SANBORN,

GENERAL SECRETARY OF THE ASSOCIATION,

CONCORD, MASSACHUSETTS.

GEO. E. CROSBY & CO.,
Printers for the American Social Science Association,
383 Washington Street, Boston.

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PREFACE.

The Papers included in this number of the *Journal of Social Science* are nearly all the Saratoga Papers of 1885. They are here arranged according to their natural classification, and not as they were read in the several departments; thus the Social Economy Papers were sometimes read in the Jurisprudence Department. As some misapprehension may exist in regard to the publication of Papers by the Association, it may here be said that all papers, engaged for the General Meeting of the American Social Science Association, are so engaged with the understanding that they may be printed in the *Journal of Social Science*, if the Council so decide; if, therefore, the writers choose to publish their papers elsewhere, (to which the Council offers no objection), it must be with the stipulation that these Papers may also be published in the *Journal*, at the option of the Council as to the time of publication.

A list of all the Addresses and Papers at the Meeting of 1885 will be found on pages xxiv–v. Those which are not here printed were accidentally omitted by the Secretary, in consequence of the mislaying of his papers.

The synopsis of an extensive correspondence of the Education Department with colleges and universities in the summer of 1886 will be found on pages xxxiv–xlix.; and the circular to which this correspondence was a reply will be found on pages 23–4 of the Arabic paging. The Introduction containing the Synopsis just mentioned is paged in Roman numerals.

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American Social Science Association.

The General Meeting of this Association for 1886 will be held at Saratoga, N. Y., from the 6th to the 10th of September, inclusive, opening at 8 P. M., September 6th, with an address by the President, Carroll D. Wright, of Boston. The Department of Education will meet on Tuesday, September 7th; the Health Department on Wednesday, September 8th; the Department of Jurisprudence on Thursday, September 9th; and the Social Economy Department on Friday, September 10th. The Order of Business will be as follows:

MONDAY, SEPTEMBER 6.

At 8 P. M., Opening Address by Carroll D. Wright, President of the Association on *Popular Instruction in Social Science.*

TUESDAY, SEPTEMBER 7.

Department of Education.

At 9.30 A. M., an Address by the Chairman of the Department, Prof. W. T. Harris, on *The Definition of Social Science and the Classification of the Topics belonging to its Several Provinces.*

At 10.30 A. M., Report of the Secretary of the Department, Mrs. Emily Talbot, of Boston; followed by a Debate on *The Teaching of Social Science in Colleges and Universities*, in which remarks will be made by Mr. G. W. Cable, Prof. A. L. Perry, and others.

WEDNESDAY, SEPTEMBER 8.

Department of Health.

At 9.30 A. M., Report on *Nervousness of Americans*, by the Secretary of the Department, Dr. Grace Peckham, of New York.

At 10.30 A. M., a Paper *Concerning Noses*, by Dr. H. Holbrook Curtis, Chairman of the Department, of New York.

At 11.30 A. M., a Paper on *Rabies, and How to Prevent it*, by Dr. Valentine Mott, of New York.

At 12.15 P. M., a Paper on *The Science of Dietetics*, by Dr. Wallace Wood, of New York.

At 8 P. M., an Address on *Mineral Waters at Home and Abroad*, by Dr. T. Munson Coan, of New York.

THURSDAY, SEPTEMBER 9.

Department of Jurisprudence.

At 9.30 A. M., a Paper on *The State and the Savings of the People*, by Rev. H. L. WAYLAND, D.D., of Philadelphia.

At 10.15 A. M., a Paper on *Education as an Ally of Law*, by S. T. DUTTON, Superintendent of Public Schools, New Haven, Conn.

At 11 A. M., a Paper, *How to Deal with Habitual Criminals*, by Prof. S. E. BALDWIN, of Yale College.

At 11.45 A. M., a Paper, *Boycotters and the Law*, by Rev. T. R. BACON, of New Haven.

At 8 P. M., a Paper. *Shall Foreign Immigration be Further Restricted by Legislation?* by Rev. T. T. MUNGER, D.D., of New Haven.

FRIDAY, SEPTEMBER 10.

Department of Social Economy.

At 9 A. M., Report of the General Secretary, F. B. SANBORN, of Concord, Mass., on *Social Questions of the Time.*

At 10 A. M., a Debate on *The Right of Property and the Ownership of Land.* Opened by Profs. E. J. JAMES, of Philadelphia, and W. T. HARRIS, of Concord. Short speeches or papers are expected from Messrs. V. B. DENSLOW, EDWARD ATKINSON, THOMAS DAVIDSON, ETC.

Other Papers and Debates may be announced.

The election of officers for the year 1886–87 will take place on Tuesday, September 7, at 8 P. M.

The Association will have headquarters at the United States Hotel, where members will be received at the reduced rate of $3 per day.

The sessions will take place at the BETHESDA PARISH HOUSE, 15 Washington St., except when otherwise announced.

F. B. SANBORN,

General Secretary.

CONCORD, MASS., August 19, 1886.

GENERAL MEETING OF 1885.

The General Meeting of this Association for 1885 was held at Putnam Hall, Saratoga, N. Y., from the 7th to the 11th of September, inclusive, opening at 8 P. M., September 7th, with an address by the President, Hon. JOHN EATON, of Washington:

ADDRESS OF THE PRESIDENT OF THE ASSOCIATION.

BY HON. JOHN EATON, OF WASHINGTON.

A WORD ON THE SCIENTIFIC METHOD IN THE COMMON AFFAIRS OF LIFE.

(Delivered September 7, 1885.)

Our active life is beset with ever reeurring questions, many of them full of perplexity. There are questions of right and wrong, questions of expediency. They challenge the individual and society. Our answers to them determine our success as individuals, and our peace and prosperity as eommunities. Indeed, that civilization is most advanced which has answered the most of these life questions rationally and wisely.

The answers to life problems are marked by the discovery and application of truth. These truths, thus disclosed, pertain to man and his environment; they reaeh into the mysteries of his being and of all beings; they go into the heavens above, and down into the earth beneath. These truths have their modes, methods, and laws of action, and their discovery is preëminently the work of scienee. These laws are in us and around us; we use them and must abide by them whether we will or no. They determine our plans and pleasures, our disease and health, the rewards of our industry or the punishment of our sins. Childhood is called short-sighted because it cannot see them; age is described as wise because it has gained from its own experience, or that of others, a knowledge of their action. The father trembles for the son's disregard of these laws, and the wise and philanthropic often become martyrs that their fellow-men may be saved from the penalties of their violation.

Thoughtful minds naturally seek to eliminate the uncertain, to ascertain the variable, and to rest their conclusions on solid foun-

dations. Under the influence of this desire the uncertainties of alchemy and astrology gave way after a long struggle to the certainties of chemistry and astronomy. Yet the nature of the mind was essentially the same when astrology was the generally accepted belief as that nature is now; there is in the human mind a certain aptitude for the mysterious, and the untutored imagination is charmed with the marvellous even in our day and country. Few, very few, have thought out the truths of chemistry, or astronomy, or mathematics, or the other sciences; much less are they able to describe them. The great proportion of the people are ignorant, not only of the truths upon which these sciences rest, but of the methods by which they are ascertained. The weather affects every one, yet how few understand those principles of meteorology already ascertained! and this condition of ignorance becomes a temptation to a class of designing minds. They play upon it, trade upon it. Have we not seen men of the most limited knowledge, by their utterly false predictions, control the sowing and reaping of the farmer, the undertakings of travellers, and the sailing of the ships of commerce? It is a fact not to be overlooked, that those great evidences of progress, the telegraph and printing press, are quite as well fitted to communicate these falsehoods as the most wholesome truths.

What volumes could be filled with descriptions of the superstitions that affect or determine the conduct of man! Too often the blunders that attend the shortsightedness of childhood are matched by the follies of age, in spite of its experience. Ignorance is expected to go astray, to blunder, to practice folly, and we describe its extreme social condition as barbarism. Ignorance, according to its measure, lives by the rudest methods, in caverns or huts, or with no shelter; dresses in skins or rags, or is naked; has poorly cooked or uncooked food; for government has a tribal relation or no government at all; has for literature the traditions and stories of the elders; for religion, the worship of the objects of sense or the vagaries of the imagination, or is guided by a perverted or inadequate conception of the true God. Over against all this, growth in knowledge is expected to guide to wisdom, to give light for darkness, to find truth and reject error, to establish what is right and overturn what is wrong, to lift man up, to give him greater breadth of view and greater mastery over material nature, to make improvements in himself and his conditions by

conforming to established laws, and thus to give progress to civilization. Thus, law is expected to take the place of license, liberty the place of slavery. In all this departure from the conditions of barbarism to those of the most enlightened civilization, there has been a method; human reason has been active. The mind has discovered the laws of its own action, and in accordance with those laws has found a method of care, of patience, by comparing, counting, measuring, — putting facts and ideas together and taking them apart, — of generalizing; this method is called scientific, and this body of truths, thus ascertained, thus acquired, precise and accurate and systematized, has been called *science*.

In view of the passions and appetites of man, there need be no surprise when he in his ignorance rejects the scientific method; but it is not in accordance with natural expectation when scientists limit the scientific method each to his own specialty. Why should science withhold its method from the ordinary affairs of human life? Why should not sociology or Social Science be as ardently sought and disseminated as the sciences of physics and chemistry? Why is it less scientific to apply the scientific method of inquiry and investigation to the problems of sanitation and education and statesmanship than to the questions relating to the action of electricity or gravitation? Why is it less scientific to seek out and mark the distinctions between the certain and the uncertain, between the probable and the improbable in the ordinary affairs of daily life, and touching the customs, laws and activities of society, than to establish by similar methods similar distinctions in reference to those facts which are more remote, perhaps prehistoric, or that have the most to do with the stars and stones and the least to do with man? Why is it more scientific to examine the pottery, the houses, the clothes, the food or the ornaments of dead races, than to investigate the corresponding facts in the life and conditions of society, and attempt to ameliorate them by urging the observance of the proper laws? Are the facts of psychology, which enter so largely into Social Science, less difficult or abstruse than those of astronomy? May we not as properly call him a scientist who applies the methods of science to facts of history, or current events, as call him a scientist who applies them only to the prehistoric?

It is true, science has had a hard struggle for a standing against the ignorance of mankind. A host neither small nor amiable has

been arrayed against it. Naturally its advocates selected the ground most tenable and most easy of defence, or where their opponents, under the influence of any motive, were ready to give them peace or possession of opportunity for research. Be it far from us to censure scientists because they intrenched in those fields where they could defend themselves by appeals to the senses, or by the instruments of precision, or by the demonstrations of mathematics; or, shall we say, in regions in which the critical issues of man's every-day conduct were not encountered. Still I am not sure but history, when made up in the remote future, may express surprise that modern scientists, nay, that American scientists, in a land where all values are determined by their power to help man in his conduct as a man and as a citizen, should so long and so largely have shunned all applications of scientific methods to questions of sociology, to the rugged issues of daily conduct.

Why should scientific men oppose the application of their chosen methods, nay of the best methods, to questions of every-day life, to its statistics and to its economy, to its follies and passions? If mathematical principles and processes are available in their application to the statics and dynamics of physics, why then may they not properly be applied to the statics and dynamics of society, at least so far as expressed by figures? If mathematics have their use in economics, why should they be rejected when we consider the structure of personal and domestic life, so far as it may be put in mathematical formulæ, or be estimated or measured? True, we must never forget that all moral questions, all questions of conduct, in their very nature must in their discussion leave to man the free action of his will, that there must be in all such questions room for doubt, for alternatives, for the contrary choice; but in how many of the questions of daily life now left to the merest conjecture, or to superstition, or to the wildest imaginings, may definite certainty be given and a large percentage of blunders prevented? We smile as we read in ancient or pagan history that a great commander regulated the movements of his army by the flying of a crow, or by consulting the entrails of an animal. We feel the force of the statement that a great ruler's mind was freed from the influence of superstition by his great teacher, that he might rule intelligently and justly; but we should not forget how many among us regulate some portion of their affairs by signs without meaning,

how many good fortunes are determined by a horseshoe or by seeing the moon over the right shoulder. He would need be better at cataloguing than Homer, who should attempt to name the myriads of groundless notions that regulate and affect the conduct of personal or public affairs, in these days of scientific triumph.

Is it not high time that science should oppose this nonsense with sense, these superstitions, these groundless notions with well grounded beliefs? True. if science enters with its certainties, with its careful discriminations, into the questions of daily life, many a juggler will lose his business, many a cheat and fraud will and should go to the wall; and as a consequence many of us would find our opinions and prejudices at fault. The questions to be thus determined would involve our pockets, our policies, and our politics, and be attended with the most decided expressions of feeling. Moreover, the disposition to revel in the marvellous, or dally with the uncertain, or to treat all mystery as a concealment of the superhuman, would be disturbed. Fortunately observation, record, generalization, are doing their work in forwarding all departments of science, but in no field are they doing more than in that of economic science and statistics, and we hail with exultation every new approach of science to man's daily questions. The phrases, "we guess," "we reckon," are giving way to the phrases "we will inquire," "we will try to know," "we will compare."

In answer to the question, What is the true, the unperverted method of science? it may be said,

First, That the scientific method accords with the nature of the human mind and its healthful principles.

Second, That it accords with the nature of truth, and is adapted to its discovery, statement and application.

Third, That it promotes accuracy, comprehensiveness, and completeness of knowledge.

Fourth, It favors fair and just conclusion and action.

Fifth, It is a corrective of errors and of the evils which flow from them.

Sixth, The unperverted, true scientific method should be timely, never too slow, never too fast.

It should be repeated that the use of this scientific method is not limited to scientists or those who have been taught in the schools. It is the method of common sense, the method which every thoughtful and honest, patient, earnest worker may most

naturally adopt in his endeavors for his own improvement or the advancement of his fellows. This method, employed by the spirit of truth, philanthropy and Christianity, marks the forward steps of the great eras of progress.

An intelligent scientist has said, "It may indeed be maintained that no accurate knowledge of anything or any law of nature is possible unless we possess the faculty of referring our results to some unit of measure; and thus it might be truly said, to know is to measure." Another affirms, "Scarcely a scientific research can be made without the assistance of measurement. In all the sciences we have now more or less passed the logical or qualitative stage, and have entered, to a greater or less extent, into the sphere of exact quantitative research." Says Sir William Thompson, "Accurate and minute measurement seems to the non-scientific imagination a less lofty and dignified work than looking for something new;" but he adds, "Nearly all the grandest discoveries of science have been but the rewards of measurement, and patient, long continued labor in the minute sifting of numerical results"; and he confirms his statement by pertinent illustrations from the discoveries of Newton, Faraday, and Andrews. Thus it is apparent that the methods to be employed in our common economies are not only the same as in other sciences, but it is also apparent that all other sciences yield certain results which bear upon the economy of man's daily life.

A scientific method, therefore, not only befits the measurement of the passage of light from the satellites of Jupiter to this planet, by which the traveling of light is measured everywhere; the scientific method not only befits all the steps by which all the knowledge we possess of the sun's rays has been discovered, and all the investigations that led up to the discovery of gravitation and of electricity; but scientific methods equally befit the turning of all the truths connected with these and all other important scientific discoveries to the practical uses of our daily lives.

It is unfortunate that the aspirations and notions of scientific men are so exclusively turned toward original research, (so named,) as to call for the enforcement of the statement of this truth hardly less than do the prejudices of the ignorant. We need scientific men who, alike for the love of science and for the love of mankind, will patiently find out the scientific methods of making great truths of science useful to all men, as much as we need men who will

patiently find out new truths, from the love of science or the love of truth. It was equally an honor to Livingstone that he should explore Africa, and that he should desire that thereby the benighted Africans should be blessed with the light of civilization. Says President Lesley in his late admirable address to his scientific associates, slightly modifying his phraseology:

"Let us avoid the sacrifice of character to science. As the saying of Jesus of Nazareth that the Sabbath was made for man, not man for the Sabbath, has rung through the centuries a toesin of alarm to rouse mankind to resist ecclesiasticism, so let the warning cry fill the air of scientific associations, from meeting to meeting, that science is our means, not our end. Self culture, man's culture, is the only real and noble aim of life."

He adds:

"I have been saying then that we should pursue science, like any other business of life, with a distinct and unwavering intention to ennoble our own characters. It were a trite addition to propose that the pursuit be made ancillary to the public good. What wiser or better thing can we say of any branch of physical science cultivated by us, than that its votaries are knowingly or unknowingly bettering the condition and character of mankind? Every advancement of science is of its own nature an improvement in the commonwealth. Every successful study of the laws of the world we inhabit inevitably brings about a more intelligent and victorious conflict with the material evils of life, encouraging thoughtfulness, discouraging superstition, exposing the folly of vice and putting the multitudes of human society on a fairer and friendlier footing with one another. The arts of philanthropy are, therefore, as direct an outcome of science, as the lighting of the public streets or the warming of our homes. Cruelty and shame are products of the night. The daylight is a friend to friendlessness. The progressively brilliant and general illumination of our cities marks the progress of science and typifies the progress of civilization."

Is science for man or man for science, and can there be any good for science that is not good for man? Indeed, is there any good in science that is not measured by its benefits to mankind? How else can the value of its qualities be determined? And yet how often scientific men will have almost infinite patience in watching a mosquito or an ant to learn its ways, and no patience whatever if they are asked to make the results of their researches useful to the world!

True, in bringing their scientific researches to the practical applications of life, in making their discoveries and inventions useful to the world, they must encounter all the follies and obtuseness of ignorance. No doubt it was far harder for Stephenson to make

his improvements of the steam engine, than to carry conviction to the Parliamentary committee, from one of whom there came the absurd question, in substance, "Would it not be a bad fix if the engine should meet a cow on the track?" to which he made his noted reply in broad Scotch, "It might be bad for the coo."

Is there not too much after all, of a lingering feeling that effort for the dissemination of the truths of science is not quite scientific? Occasionally scientists seem to think that truth cannot be expressed in the vernacular of common people; indeed, that truth cannot be truth unless it is dressed in a terminology known only to them; just as some college men have felt that the college "triennial" would lose its character with the loss of the dignity of bad Latin. All this foolishness ill befits scientific minds, if science is to become the handmaid of man in his daily life. Already it is becoming an honor to teach science as well as to advance its domain in the unknown, and it will be all the more deserving of honor when the scientific method of teaching is understood and practised in all our chairs of science. The scientific method of instruction is far more rare to-day, and far less understood, than the scientific method of research. Here, therefore, is a first step to be taken, and one of great importance, not only to the schools of science, but to all who would interest mankind either orally or by the printed page.

This scientific method of communicating truth recognizes the fact that early life is the period in which man's powers are shaped and his habits formed; and, for the vast majority, the period in which the most of knowledge is acquired. The scientific method, therefore, while it willingly consents to any terms necessary for the exact preservation of scientific truth for exclusive use among scientists, lays down as a fundamental rule for its guidance the law of simplicity in the use of language and the presentation of each truth in the concrete, or as seen in the object or act, and thus appreciable even by the young, instead of in the form of an abstract doctrine.

This scientific method of instruction is needed to preserve classical learning from disuse and disgrace. This method adopted in the domain of scholastic instruction would immeasurably increase the number interested in the highest science, those who would be ready to appreciate its truths in their most abstruse form, and who would sustain with sympathy and the most substantial aid those

engaged in scientific inquiries farthest removed alike from pecuniary profit and from daily life. There would grow up a taste for a better method in all forms of literature. Low writing and inaccurate writing would be at a much greater discount. Herein the economy of right teaching would appear. The education of all would become a condition precedent to the most successful promotion of science.

This idea of carrying science into the daily walks of life, welcomes all facilities for its dissemination; the cheapening of scientific literature, the popular library, the museum for illustrations to the eye, the publication of its data in the daily press, and their discussion in the pulpit, in the forum, and in the quiet of private conferences. When we witness the ignorant, plague-stricken population rising up to destroy the agencies that would restrict, prevent, or cure the disease; when the ignorant mob, maddened by some supposed or real cause, rushes to destroy the very object which can alone afford the food, or shelter or comfort or gratification that it desires—if we inquire for the cause of these phenomena, we shall speedily find that there has been little of the scientific method known or practised among these populations; it has been neglected by the pulpit, the press, the school; the great agencies for the dissemination of truth have been in abeyance. Yet these destructive outbursts of human passion cannot be quieted by anathemas.

Society, calling into action the strong arm of the law, must first secure quiet, and then, one by one, minds must be reached, truths must be disseminated, reason aroused, conscience brought into action. We shall overcome the influence of wild and reckless leaders, not so effectually by assailing them, as by informing and directing into safe, healthful and profitable activities the minds of those they lead astray. We shall correct the taste for low and degrading prints, not so much by inveighing against them and thus advertising them, as by supplying better, more attractive, and more valuable reading, and thereby creating a taste which will not be satisfied with the vile. This body of literature cannot be the same for all persons. All would not have an interest in the same subjects, and their variety and vastness would overtax anyone; but the scientific method would pervade the communication of all ideas; morals would not be excluded, but illustrated and enforced; the imagination would not be neglected, but all its powers would

be brought into play and purified and elevated, not poisoned and debauched.

Here we should be brought to a pause by the question, "What shall be the body of the scientific information or the literature thus to be put within the reach of all desiring it, or all who are subjected to instruction?" — a question worthy of the profoundest attention of the most prescient minds. Through this body of fact and thought science would most effectually carry the blessings of its methods into the ordinary affairs of life. This body of information could not exclude any data or any truth of service to man. Every great subject would bring its vast contributions shaped to scientific methods—the earth as influenced by the sun and the starry world, its surfaces of land and water, of mountains and streams and valleys, of barren and productive soil; the plant-life that dwells on it, the circumambient atmosphere and its phenomena, and man, the scientific animal who makes all this ado and for whom it is made, and to whom the earth has been given to possess and dress.

The Adam of this period of scientific thought might call up his several sciences and name them,— astronomy, geology, mineralogy, biology, botany, zoology, anthropology, psychology, mathematics, chemistry, physics, sociology,— and all the other "ologies" named or to be named — and call upon each to yield what it may possess to this correlation of useful thought for human instruction and guidance, and enjoyment and betterment,—this evolution of science for the greatest good of man, by doing its utmost for the common things of daily life.

The laws of gravitation, we are told, weigh by the same standard the most volatile particles of matter and the most vast of the far off stars, which are suns to other systems than ours. Thus the laws which science discloses will trace the small as well as the great in man's life; they will enlighten him with respect to all that concerns him. There will be a law by which he knows the price of his salt, and laws by which he will measure his liberty. What comes to man from any science and its art will be checked and numbered and placed. The statement need not be in the terminology of Latin or of Greek, and however abbreviated or statistical, it will be intelligible.

To understand or practice the truths of science thus embodied or stated, man will need neither to be a college graduate nor a doc-

tor of philosophy. He will not go far to find them, they will speak to him in voices that he will understand, and charge him no price he cannot pay; they will guide him in his conduct, cheer him in his discouragement, moderate him in his prosperity, guard him against disease and folly, satisfy his wants, and inspire him with higher endeavors. Toward this gathering up for each man's daily use of the lessons of all nature, and the lives of all men, the progress of mankind is moving. Steam and the telegraph and the telephone focus all thought and action, however near or remote. In many directions the youth of to-day know more than the philosopher of the past. Who shall set the limit to individual attainments?

The steps to the highest crown may lead up from the humblest walks of life. But in addition to all other agencies there is a great increase of associated action. More and more, men in like pursuits and unlike pursuits, from parts near and distant, are coming together to confer with one another, reporting experiences and observations, comparing data, formulating conclusions and sending them forth to the world. How often in human history, politics or religion have been the chief topics to call men together in conventions! Now they come together as lawyers, as doctors, as mathematicians, as workmen, as sanitarians, as sociologists, educators, historians, penologists, philanthropists. To what a triumphant record this Association may already point! Pursuing its inquiries in the domain of practical life, considering the questions that involve the economy and skill of industry, the care and training of the young, the rewards of virtue and the punishment of crime, the prevention of disease and the preservation of health, the establishment of right social customs, and the enactment of wholesome laws, it has become the parent of other associations pursuing lines of great interest in human affairs, and has developed and established many conclusions which have directed the thought and activity of large numbers of our people; and many times have its propositions been enacted into wholesome laws. The English Social Science Association has a corresponding history, full of encouragement to this order of endeavors.

If the scientific, thoughtful and intelligent, if all who cherish and abide by scientific methods, would carry this spirit of beneficence into all the walks of daily life, how soon the attitude of the ignorant would change from opposition and shyness to one of regard and interest and aspiration, how soon the ignorant would

unite their energies with the learned in disseminating truth. The American is said to challenge every comer with "*Cui bono?*" but in the noblest sense he may fitly ask each department of knowledge, "What good to man?" Each science will have its body by itself, and yet fill all its relations to every art and yield its lessons to every man according to his understanding and preparation. All data thus correlated will meet the child, nay, will guide the paternal influence and action in its behalf.

Now, in spite of all the progress of science, how is the child in its years of greatest dependence treated. With the follies of ignorance. Neglects, mistakes, or downright violations of Nature's laws, very likely consign him to an early grave, or plant in him the seeds of permanent feebleness. Physicians may relieve his colic or cure his disease, but how rarely do they make an effort to direct the course of nursing or training to assure health and prevent disease!

Perhaps the impairments are not physical, but more especially mental, and we go to those in care of the insane for advice. They will tell us, possibly, that two thirds of the cases under their treatment could have been prevented, but their records are all directed to cure, to the science and art of curing, not prevention. Who could estimate the beneficent changes of life, if all its conditions subject to the application of the scientific methods could be made to harmonize with them; questions of food, of raiment, of shelter, of air, of vocation, of occupation, not for one man or one class of men, but all men in all conditions. The diseases which are brought upon our nervous systems by the excitements of the sensational in many cases prepare the way for interminable evils. The mother is not satisfied with the quiet and repose and sleep of her infant child, and must excite it, to gratify her desire for a display of its activity. The teacher does not always exclude the sensational from the school, and social arrangements, a great mass of literature, and a large share of the activities of life proceed upon the idea that they are nothing if not sensational. Nervous excitement and nervous strain are the order, and nervous exhaustion the calamitous result. Could all people bring to bear upon health alone what has been already ascertained and contributed to the body of knowledge in regard to the principles of hygiene, what ills would be arrested, or reduced, or modified, along all the diverse lines of human activity!

Are these ideas chimerical? Far from it. There are already

signs of approach toward their realization. Scientists are busy in their laboratories in all the fields of research, settling principles, harmonizing results, reaching their totalities, and preparing them for men's use. The period of diffusion, of universal communication has commenced. Fifty years ago how slightly had the physical sciences found embodiment in text-books or recognition in the schools! Is it too much to expect that in the next fifty years there may be a corresponding embodiment of the results of investigation in sociology — in literature, and that it may take the form of text-books and become subjects of instruction in our schools and colleges? Already this has commenced in the direction of hygiene and of our common business transactions, and there are text-books in carpentry, on nursing, on domestic economy and the various departments of agriculture and international commerce.

Any large aggregation of men, or of pecuniary interests, by degrees sees the value, feels the necessity, and can afford the expense of gathering, grouping, generalizing, and bringing out the data which give them a clearer measure of the health, the comfort, the pleasure, the profit, or the loss involved. Balance sheets are studied in every business,—questions of finance or of public taxation and expenditure are investigated. The town, the county, the city, the State, the Nation has its Reports. Great operations, like those in corn, in coal, or cotton, or woolen, or silk, leather or lumber, or iron, or gold, or silver,—and all the great industries—the agricultural, mechanical, commercial, professional—demand and have their collections of statistics and their vast accumulations ready, as contributions to those sciences which enter into the economies of common life.

But the correlation of all these and their actual results have not been reached. The miscellaneous publications in these fields are beyond our enumeration. Investigators are becoming experts, and they are more in demand. Money sees the profit of this wisdom, and is more willing to pay for it. Public action, government action, could not go on without it. The idea of a republic, that its citizens shall act patriotically and virtuously from a choice of the right course and on their own knowledge, demands it. Napoleon the First is credited with the remark that "statistics mean the keeping of an exact account of a nation's affairs, and without such an account there is no safety;" and Goethe declares, "I do not know whether figures govern the world, but this I do know, they show how it is governed."

The idea of this statistical result has already taken on manifold forms. America has left behind the idea that the only function of government is that of shrievalty, and has accepted the responsibility of reporting its operations and accumulating and disseminating information for the benefit of the people. Boards of health, of charity, of education, and bureaus of statistics of labor, are demanded by the State and by the Nation, and they are becoming potential agencies in reducing to something of order the chaos of data so long without form and void. The character of the information demanded marks the progress of the age. How long, during the ages of the past do we find all the counting of men and the measure of their condition undertaken solely to ascertain their capacity for war. Indeed, our own colonial census was taken for the same purpose. How much savage war could the Colonies endure? But the constitution of the States, adopted by the Fathers, provided for representation in the House of Representatives and in the Electoral College according to population. The carrying out of this constitutional provision has led to vast results. What a magnificent world of data is now spread before us by the census! It has begun and ended, and comes to us, with the full force of national authority. Every man, woman and child and their interests enter into it, and it has its lessons for each in all their various capacities and relations. But not more than a hundred thousand can possess it, and few can master the whole of it. It comes in as an aid and corrective, with all subordinate divisions and summaries of cities, counties and States. Besides, it would be too much to occur annually, and therefore cannot be frequent enough to meet every condition. But many statements should be annual, to meet the diversified demands of millions of individuals, to place within their reach the conditions of the conclusions they must establish for the guidance of their conduct. Have you thought how our system of government affords excellent opportunity to perfect a system of statistics, parallel to the decennial census, and fitted to meet all the demands not met by that, and to add greatly to the observation, record and use of the data demanded in common affairs and to promote the scientific method in their treatment?

Publicists have said much of the importance of the town meeting as found in a portion of our system. An important characteristic of this institution is the bringing of all questions of public taxation and expenditure and policy to the consideration of all the citizens for their action. This attention of each person to all

the details of municipal action, in a large city, would be impossible. Therefore, there are reports, manifold statements for public information, so that each citizen may have within his reach the means of a just judgment. But should the town system of reports be everywhere adopted, and these followed by summaries by counties, and each State gather these summaries for itself, and the Nation group these in their great generalizations, the whole would have a variety of form and result, and come to each one with data according to his interest. The questions of the town, county and State would have their appropriate answers. The student and the statesmen would find them falling into an appropriate classification, and sufficiently frequent, and this, taken in connection with the decennial national census, would place us in the very front rank with respect to knowledge of ourselves as a people.

This is now measurably done in certain departments of inquiry. I can speak with more personal familiarity of that of Education. The county does not even in this subject enter specially into the form of statistical statement, but the institution publishes its reports or catalogues, and the town or city usually in some form its report. Each State, the centre and source of authority, gathers up the data of instruction within itself, and the Nation, carefully avoiding participation in the authority of the States, merely and solely for purposes of information, gathers a summary of the whole into an annual volume. The ten thousand contributions from authoritative official sources coming into this volume present a result unique in the history of voluntary statistics. Here is on one side of education a growing preparation for the scientific treatment of education. The parent may know not alone how his child is affected, the teacher not alone how his school is affected by a given method, but the results produced by that method wherever applied are reported. Were this system to be carried into the field of every other great subject, and the whole result distilled into a single volume, and should each nation do the same as far as possible, there would be the beginning of a solid foundation for the initiative of internationalism. All nations would be influenced, and the atmosphere of the scientific method would pervade the world of thought. These methods would determine the most far-reaching generalizations, and have an effect upon common life not now possible. Child life and all life would be ushered into new conditions, and alike the humblest and the highest would more easily find the truth, follow it, and receive their blessings from it.

BUSINESS OF THE MEETING OF 1885.

The Order of Business after the Address was as follows:

TUESDAY, SEPTEMBER 8.

Department of Education.

At 9.30, A. M., Report of the Secretary of the Department, Mrs. EMILY TALBOT, of Boston.

At 10, A. M., a Paper by Mr. WILLIAM ORDWAY PARTRIDGE, of Brooklyn, N. Y., on *The Relation of the Drama to Education.*

At 11, A. M., a Paper by W. M. BECKNER, Esq., of Winchester, Ky., on *Education in the City as Contrasted with the Country.*

At 12, M., a Paper by Prof. E. J. JAMES, of the University of Pennsylvania, on *Schools of Political Science.*

At 8, P. M., a Paper by Prof. THOMAS DAVIDSON, of Orange, N. J., on *The Place of Art in Education.*

WEDNESDAY, SEPTEMBER 9.

Department of Health.

At 9.30 A. M., a Report by the Secretary of the Department, Dr. LUCY M. HALL, of Brooklyn, N. Y.

At 10, A. M., a Paper on *Cities and Health*, by C. F. WINGATE, Esq., of New York.

At 11, A. M., a Paper on *The Influence of City Life on Health and Development*, by GRACE PECKHAM, M. D., of New York.

At 12, M., a Paper by D. A. ROBINSON, M. D., of Bangor, Maine, on *The Therapeutics of Exercise.*

At 8, P. M., a Debate on *The Adulteration of Food, particularly in Cities*, opened by CHARLES HARRINGTON, M. D., of Boston.

THURSDAY, SEPTEMBER 10.

Department of Social Economy.

At 9.30, A. M., Annual Report of the General Secretary, Mr. F. B. SANBORN, of Concord, including a Special Report on *Social Science Lectures in American Universities*, and followed by a Debate.

At 11, A. M., a Paper by Prof. E. J. JAMES, of Philadelphia, on *The New Charter and City Government of Philadelphia*, followed by a Debate.

At 12 o'clock, a Paper by EDWARD W. BEMIS, PH. D., of Springfield, Mass., on *Socialism.*

At 8, P. M., a Paper by CHARLES D. KELLOGG, Esq., of New York, on *Child Life in City and Country.*

FRIDAY, SEPTEMBER 11.

Department of Jurisprudence.

At 9.30, A. M. a Paper by EDWARD V. RAYNOLDS, D.C.L., of Grand Rapids, Mich., on *The Constitution in its Relation to National Development.*

At 10, A. M., a Paper by Rev. Dr. H. L. WAYLAND, of Philadelphia, on *The Unnamed Third Party.*

At 11, A. M., a Paper by Rev. WASHINGTON GLADDEN, of Columbus, Ohio, on *The Arbitration of Labor Disputes.*

At 12, M., a Paper by D. MeG. MEANS, Esq., of New York City, on *Labor Unions under Democratic Government.*

At 8, P. M., an Address by MERRILL EDWARDS GATES, Ph. D., LL. D., President of Rutgers College, Member of the U. S. Board of Indian Commissioners, on *Land and Law as Agents in Educating Indians.*

At the business meeting of 1885, the officers whose names appear on page v. were chosen, and M. ARTHUR RAFFALOVITCH, of Frankfort, Germany, was elected a Corresponding Member of the Association.

DISCUSSION OF THE PAPERS OF 1885.

The debates following these papers were not reported by the Association, and only a few of the remarks made can be given here, drawn from the newspaper reports. In discussing Dr. Peckham's paper, Dr. E. W. Bemis said:

Mr. Carroll D. Wright's statistics show that the mortality is twice as great in factory villages as in farming villages. Among the poorer classes, it is almost impossible to provide means for warming the entire house; and so all sit in the kitchen and breathe the impure air. The children suffer by the mother being employed just before and just after the birth of the children. In some instances in Germany, the wages of women are continued for some weeks before and after confinement. The employment of married women in factories is a great curse, tending to destroy the family life. There is need that the evils of bad cooking be brought home to our working people. Much can be done to make the cooking better at a reduced expense. With the poor, 60 to 65 per cent. of the income goes for food. As they grow richer, a large proportion goes for rent and clothing.

Dr. H. L. Wayland spoke of the employment of young children in factories as very injurious to health and life; Prof. Francis Wayland of the unwholesome food prevalent in the country, the absence of good soups, the prevalence of roast pork, and heavy mince-pies.

Mr. Sanborn urged that, on the whole, country life is more favorable to health and life than city life, especially in the matter of pure air and pure water. Of course, it is to be considered that in cities there is a large foreign population, of a very low grade as to health.

Mrs. French described the work done in New York, through women as city missionaries and Bible-readers. A lady gave to 75 of these, each week, a plain, simple lecture on health and sanitation. One missionary said, that in the 100 families which she visited, there was in three weeks a great improvement in cleanliness and care for health.

Rev. E. W. Clarke, missionary in Assam, spoke of the malaria

prevailing there at night and during the day. The people can work in the malarial districts in the day, if they stop on the crest of the hills at night. The diet of country people in America is better than has been represented to-day.

Dr. Peckham said at the close:

"The children of working-women are not large, but they are healthy, unless there has been great privation. Child-bearing is natural; and the health of the mothers is often better for pursuing their usual avocation. The water supply is better in the cities than in the country, where the people depend on wells. People from the city often suffer from the water, when spending the summer in the country. The working girls' clubs in the cities have an excellent influence; lectures are given on health there."

In the debate following Dr. Robinson's "Therapeutics of Exercise," the writer of the paper was called on for illustrations, and showed how to exercise the muscles of the chest, of the waist, the thighs, the calf, the shoulders, the fore-arm. He added:

"It is the light, quick movement that you want; not the heavy. The great trouble is that people go at it so fiercely that they lame themselves, and thus are repelled from exercise. Exercise till you feel warm and just a little tired. Do not overdo it. Exercise must be regular and systematic. Twice a day is very well for frequency. It is better to take the exercise by way of amusement or employment, with some object besides exercise. It is easier and more graceful to have the movement in a circular direction rather than ending with a jerk."

Mrs. Adams, of Chicago, in some interesting remarks, developed this last point.

Dr. Robinson further said:

"Consumption is one of the most preventible of diseases. My parents were both consumptive; I coughed for a year, and was going the downward road; but by care, exercise, and preventive measures I have wholly averted the tendency. In one case, two of three sisters had died, and the third was coughing and was following the others; we gave her no medicine but exercise and outdoor air, and she is now doing well, and the cough has left her. Swimming is one of the best exercises to check consumption."

In the debate on Social Science Instruction, Rev. S. W. Dike, of South Royalton, Vt., said:

"Some years ago I began to give lectures in a Theological Sem-

inary. The course embraced six lectures on various aspects of the family in its relation to property, to religion, etc. Christianity is to be lodged in human society; and the minister must understand social conditions. Great interest was shown in these subjects by the students."

Mrs. C. H. Dall said:

"What our young people need is not to have a sentimental interest in the poor and criminal classes, but to have practical lessons. It is a very hopeful thing when the women graduates of our colleges are banded together for the study of political and social science."

Prof. H. C. Adams (University of Michigan) said:

"There is a future for this line of study. There is a difficulty growing out of the present system of instruction in colleges. After a man is eighteen years old, it is idle to speak about the need of studies for discipline or culture; it is time for him to take hold of studies that have a practical bearing."

Prof. A. Johnston (Princeton) said:

"Within four years, we have instituted courses of instruction in various branches of political science, international law, jurisprudence, common law, common school law. After the Sophomore year, the studies are largely elective. The historical method prevails largely.

"I would bear testimony to the help I have derived from the Theological Seminary at Princeton. Dr. Patton urges all students for the ministry to acquaint themselves with political and social science."

Prof. Wayland (Yale Law School) said:

"In the Yale Theological School, instruction is given in jurisprudence. Social science is taught in the college. I protest against social science being added to the over-loaded course of the High or common schools. It is doubtful if the State is not making an expensive blunder in carrying public free education too far. In every college there is a large body of young men studying, not for law or medicine or any specific profession, but to get an education. Let these young men be taught the principles of Social Science. It is desirable that a pastor should have some knowledge of this class of subjects."

Commenting on Mr. Kellogg's paper, Mr. F. H. Wines, of Illinois, said:

"I was interested and touched by this paper. There is in the Northwest a growing opposition to the coming of these bad children from New York. The public school system is not accomplishing for the children of the poor what we have a right to expect. It does not fit boys and girls to earn their own living. The Kindergarten system is very beneficial to the children alike of the rich and of the poor. I think the picture of Mr. Kellogg was perhaps a little too sombre."

President Eaton added:

"It used to be said that there were enough bad boys in Paris to overthrow the government. Benevolent persons organized 'Maternal Schools' for children from two years old up; there were presently 60,000 children in these schools. The kindergarten-school system was applied with such adaptation as was needful. Child-life in Paris has been taken out of the fatal line spoken of, and put into a better line. There are also nurseries where the very youngest are received for the day, while the mothers are working. Some of these are springing up in this country; one in Buffalo, one in Cleveland. In Baltimore, Mr. Wilson left $500,000 to to form a Sanitarium; it is near the city, and is a blessing to a great body of children.

"Recently, there were 9,000 applications for sittings in the public schools in New York that could not be furnished; and during three years, while there was a constant increase in the school population, there was no increase in accommodation."

After the reading of Dr. Raynolds' paper on the American Constitution, Prof. Goldwin Smith of Toronto said:

"I have seldom listened, with more pleasure to a paper, than this morning. The Constitution of Great Britain is a series of documents and acts of Parliament. But we are largely governed by *understandings*. Our public life is stable compared with yours. Hence, our understandings are handed down. But we have now adopted universal suffrage, and we shall require something more fixed for a constitution. The new Canadian Constitution appeals to the well understood principles of the British Constitution. Under a democracy, all powers ought to be strictly defined. I think that England will find need for a written constitution. In

the American Constitution you find no trace of the present mode of government through parties. In England, the Privy Council mixes politics with its interpretations of the law. Thus, in the decisions on the "heresy" cases, they have been influenced by their desire to include all opinions in the Church. The decision of the United States Supreme Court as to the Legal Tender Act is a distinct abrogation of the Constitution. The opinions of the people will register themselves inevitably in the interpretation of the Constitution."

The paper on the Labor Question aroused much discussion. President White of Cornell University said:

"We pass a large part of our time in a "fool's paradise," supposing that our institutions are the best, and that no harm can come to us, whatever may come to others. We have blundered through; and we imagine that we shall keep on blundering through. This cannot go on for ever. We may as well look at the problems presented. Those now presented by Dr. Wayland are very serious, though I doubt if his off-hand way of dealing with them is always the best. But of that presently. Take the holding of great tracts of land. We are worse off than Great Britain, where Parliament can do anything. We have no power to undo this evil. I was once sent with two other gentlemen to negotiate a treaty with a Spanish American Republic (Santo Domingo) with a view to its annexation to the United States. I had occasion to negotiate with the Papal Nuncio. I asked him what the Church would claim. There had been confiscations of the Church land by the Republic. That is the method of the Latin races, as seen in Spain and Italy. In negotiating that treaty (which never came to anything), I said to His Grace that there was no country whose institutions made it more impossible to interfere with landed property than the United States. I found that he understood that very well. The authorities of the Church were very willing to favor annexation to a heretical country, because our country offered such security against confiscation. The cry is, 'Leave things to the law of supply and demand; let them take care of themselves.' But these things will not take care of themselves. I must dissent from what Dr. Wayland puts forth as a remedy. The most unsafe thing we can do is what looks toward confiscation. A revolution is the simplest, but the most expensive

method. The extinguishment of abuses by force is the French method; the extinguishment by compensation is the English method. Henry Clay proposed to extinguish the right in slavery by compensation. We stood aghast; 'it would cost $100,000,000.' We took the other method; and it cost us not less than $10,000,000,000. It is better to buy out the so-called vested rights than to extinguish them by force. If the liquor traffic can be thus extinguished without a long and bitter struggle, it will be well. I am heartily with Dr. Wayland in the scope of his paper. In the *laissez-faire* doctrine, we do not look to what is for the welfare of the State through all time. An illustration from the destruction of forests is greatly in point. We should extinguish the right to cut down forests, in the interest of the state and nation. This paper takes us into a wide range of interesting questions. We are in a two-fold danger; on the one hand, from the lack of power to undo long-standing evils, on the other hand is the danger of taking revolutionary steps."

Prof. Johnston, of Princeton, said:

"I feel a very strong sympathy with what has been said by Dr. Wayland and Pres. White. We need to teach men the meaning of the word 'right,' which was used in several senses in the paper. Here are men dealing with rights which are given by society; yet, when the State proposes to interfere, men get up a cry of natural rights. There is danger in allowing the introduction of Dr. Wayland's principle; but I am not afraid of such a principle if properly limited. So long as Dr. Wayland will teach us that the State grants these rights, and can take them away, we know that we have here a great machine that needs to be watched and guarded."

Mr. F. J. Kingsbury of Waterbury, Ct., said:

"Dr. Wayland's paper is interesting and brilliant; but the method proposed needs discussion. I was surprised to hear the applause in response to portions of the paper that seem to me radical and revolutionary. There were questions raised about which there can be no doubt. Fraud vitiates every transaction. But if a man has by labor acquired property, the right to convey that land to whom he will, is so strong that society is chaos without it. Society must be founded on justice or it will go to ruin. The great safeguard is the distribution of property. But in order to make that protection good, the property must be acquired by

honest industry. I have been for many years an employer; but I have never had any knowledge of a strike. As to profit sharing, this proceeds on the supposition that every manufacturing enterprise is a success, whereas, not more than half of them are a success."

Dr. Gladden said:

"Whatever makes labor more efficient is a gain to the employer and to the employed. I doubt if it is expedient for working-men to combine and direct their own labor. But profit-sharing, or industrial partnership, where the employer pays the men at the market price, and then gives the men a stipulated share of the profits, inspires the workman with good will, with hope and courage and enterprise, and enables the employer to make as much money as he made before this, is the solution, and it is sure to come."

Pres. White referring to the paper of Dr. Gladden said:

."Might not coöperation be introduced into the great railway corporations? The Baltimore and Ohio Railroad is trying an experiment, looking toward this, which is successful and which has not yet reached its limit. This would set every employee on the side of economy. The town of Pullman, though not the last word or the last attempt, is in the right direction. Workmen should become something beside wild beasts. Mr. Pullman built this beautiful little town, laid out by landscape gardener and sanitary engineer; and expended $750,000 before erecting a single house. The difference between this town and the average mud-hole of a prairie town is like that between heaven and hell. The death rate has fallen from thirty-two in 1,000 to seven. The first right of a man is to life; and Mr. Pullman has secured this. He is not a philanthropist; he makes everything pay 6 per cent. The gas pays 6 per cent., and costs the people 70 cents a 1,000 feet. You must compare the laborer in Pullman with laborers elsewhere. There was at the start a distrust between employees and employed; but confidence is increasing. Recently, Mr. Pullman wanted to take a contract for making 100 platform cars. He said to the workmen, 'We will throw off a part of our profit, if you will thow off a part of your wages,' and they consented. The liberty of men in Pullman is, however, to some extent restricted. If a man wants a glass of beer at his table, he can have it; but there

is no bar, and no 'perpendicular drinking.' If a man wants a drink at a bar, he must go several miles to get it; and that 'makes a good while between drinks,' as a workman said. I believe in arbitration with all my heart; and I am glad that Dr. Gladden advocates it. I have no doubt that it will come."

Prof. Goldwin Smith said:

"The word 'state' requires a precise definition as much as the word 'right.' The State appears as a wise and beneficent being; but the State practically is the persons which are in the possession of power. If a man has no right to what he has earned by the sweat of his brow, there is no such thing as right."

SOCIAL SCIENCE INSTRUCTION IN COLLEGES, 1886.

The Report and Discussion of 1885 on

SOCIAL SCIENCE AS TAUGHT IN THE COLLEGES AND UNIVERSITIES OF THE UNITED STATES,

has been followed up by the Department of Education, which, as mentioned on pages 22 and 23 of the *Journal of Social Science*, No. XXI., has undertaken to collect statistics regarding the actual instruction given in the several departments of Social Science by American Colleges and Universities. For this purpose they sent out in the summer of 1886 the circulars there printed and obtained returns from upwards of one hundred institutions affording higher education. The ten Topics covering which questions were asked were the following:

1. Theory of property, real and personal.
2. Production and distribution of wealth.
3. Theory of Government—National, State and Municipal.
4. Public and private corporations.
5. Punishment and reform of criminals.
6. Prevention of vice (intemperance, prostitution, vagrancy, etc.)
7. Public and private charities (care of the poor, insane, blind, idiotic, deaf-mute, foundlings, orphans, etc.)
8. Sanitation of cities and of private dwellings (water supply, ventilation, drainage, epidemics, etc.)
9. Theory of public elementary education.
10. Higher education (as furnishing the directive power of society).

In the following table the returns are given alphabetically by States. The answers are symbolized as follows:

a.—Taught in preparatory department.
i.—Taught incidentally.
p.—School of political sciences.
*.—Subject taught, but year not stated.
1.—Subject taught in Freshman year.
2.— " " Sophomore "
3.— " " Junior "
4.— " " Senior "
5.— " " Post graduate course.
6.— " " Law School.
7.— " " Medical School.
8.— " " Normal department.
9.— " " Scientific School.
¼.—1st and 4th years; ¾—3d and 4th years; ⅓—4th or 3d years; 1-4—1st, 2d, 3d and 4th; 2-4—2d, 3d and 4th.
Un.—University. Col.—College.

NAME OF COLLEGE.	TOWN.	1	2	3	4	5	6	7	8	9	1/10
ARKANSAS.											
Little Rock Un.	Little Rock,	4	4	4	4	4			2	4	
CALIFORNIA.											
Un. of the Pacific	San Jose,	*	*	*	*	*				*	*
Un. of South'n California	Los Angeles,	4	4	4	4		2		3		
CONNECTICUT.											
Yale Col.	New Haven,	4	4	4	4					4	
DIST. OF COLUM'A.											
Columbia Un.	Washington,	4	4	4	4					4	4
Howard Un.	Washington,	4	4	4	6	*				8	
GEORGIA.											
Atlanta Un.	Atlanta,	4	4	4			a				
Clark Un.	Atlanta,	4	4	4	4					a	
ILLINOIS.											
Chaddock Col.	Quincy,	2	2	1	2	4		4		1	1
Ewing Col.	Ewing,		4						2		
German English Col.	Galena,	i	i	i	i	i	i	i	i	i	i
Illinois Col.	Jacksonville,	4	4	4	4	4	4	4		4	4
Illinois Wesleyan Un.	Bloomington,	3	3	1	3			3			
Lake Forest Un.	Lake Forest,		4								
Northwestern Col.	Naperville,	4	4	4	4						
Northwestern Un.	Evanston,	4	4	4							
McKendree Col.	Lebanon,	4	4	3							
Shurtleff Col.	Upper Alton,		4	3/4							
Un. of Chicago	Chicago,	4	4	4							
Un. of Illinois	Champaign,	4	4	4					3/4		
Westfield Col.	Westfield,	3/4	3/4	1/4						2	
Wheaton Col.	Wheaton,	4	4	4	4		4			4	4
INDIANA.											
Butler Un.	Irvington,	4	4	4		4					
Earlham Col.	Richmond,	3	3	3							
Franklin Col.	Franklin,		4	4							
Hanover Col.	Hanover,	3	3	3	3	i	i	i	i	i	i
Hartsville Col.	Hartsville,	3	3	2							
Indiana Un.	Bloomington,	3/4	3/4	4-3	*	3/4	*	*	*	4	4
IOWA.											
Amity Col.	Coll. Springs,			1						1	
Cornell Col.	Mt. Vernon,	3	3	a		4	4		3		
Drake Un.	Des Moines,	2	2	1			a				
Parsons Col.	Fairyfield,	1/2	4	1	1					1/2	1/2
Tabor Col.	Tabor,		4	1							
Un. of Iowa	Iowa City,	6	2-4½	2-4	6				7	4	4
Upper Iowa Un.	Fayette,	a	3	3							
KANSAS.											
Washburn Col.	Topeka,	4	4								
KENTUCKY.											
Berea Col.	Berea,	4	4			4	4		2	*	*
Central Un.	Richmond,		4								
Centre Col.	Danville,	i	i	i	i	i	i	i	i	i	i
Georgetown Col.	Georgetown,	4	4	4	4						
Kentucky Mil. Institute	Farmdale,	3/4	2	3/4	2	2	2				2-4
Ogden Col.	Bowling Green	4	4	4							
LOUISIANA.											
Centenary Col.	Jackson,		4	4			i				1/2
MAINE.											
Bowdoin Col.	Brunswick,		4	4					7		
Colby Un.	Waterville,	3	3	4	3	i	i	i	i	i	i
MARYLAND.											
Johns Hopkins Un.	Baltimore,		3/4	3/4	3/4	5		5		5	5
Rock Hill Col.	Ellicott City,	3/4	3/4	1	*			1-4			
MASSACHUSETTS.											
Amherst Col.	Amherst,	4	4	4		4	4			4	4
Boston Un.	Boston,	4	4	4	6	7	7	7	7	i	i
Harvard Col.	Cambridge,	1-4	1-4	*	6	*	*	*	9		
Tufts Col.	College Hill,	4	4	4				i			
Williams Col.	Williamstown,	3	3	3	3	i	i	i	i	i	i

NAME OF COLLEGE.	TOWN.	1	2	3	4	5	6	7	8	9	10
MICHIGAN.											
Battle Creek Col	Battle Creek,			1					1		1
Hillsdale Col	Hillsdale,	4	4	1	1	1	3	4	3	1	
Un. of Michigan	Ann Arbor,	*	*	*	*			*	*	*	*
MINNESOTA.											
Carlton Col	Northfield,		4	4				4			
Un. of Minnesota	Minneapolis,	4	4	4	4			4	4	4	
MISSOURI.											
Central Col	Fayette,	3	3	4		4		4		4	4
Drury Col	Springfield,	4	4	4	4	4				4	4
Pritchett Institute	Glasgow,	2	4	3	4					4	4
Stewartsville Col	Stewartsville,			3							
Un. State of Missouri	Columbia,	6	3	4	6	6	4	4	3	4	4
Washington Un	St. Louis,	4	4	½	i	i	i	i	i	i	i
William Jewell Col	Liberty,	4	4	4	4	i	i	i	i	4	
NEBRASKA.											
Creighton Col	Omaha,	*									
NEW HAMPSHIRE.											
Dartmouth Col	Hanover,	4	4	4							
NEW JERSEY.											
Rutger Col	New Brunsw'k	3	3	¾	4	i	i	i			
NEW YORK.											
The Col. City of N. York	N. Y. City,	3	3	3	i	i	i	i	i	¾	¾
Columbia Col	New York,	9	p	p	6	p	p	p	9	0	
Cornell Un	Ithaca,	¾	¾	¾	¾	¾	¾		5		
Syracuse Un	Syracuse,	4	4	4	4	4		4			
Union Col	Schenectady,	4	4	4	4				4		
Un. of Rochester	Rochester,	4	4	4	4	4	4	4	4		
Vassar Col	Poughkeepsie,	3	3	3	3	¾	*	*	¾	4	4
OHIO.											
Buchtel Col	Akron,	*	*	*	*						
Hiram Col	Hiram,		4	4	i		i	i	i		i
Kenyon Col	Gambier,	4-3	4-3	4-3	4-3				3		¾
Ohio Un	Athens,		3	¾		3	3		0		
Ohio Wesleyan Un	Delaware,	i	i	i	i	i	i	i	i	i	i
Un. of Cincinnati	Cincinnati,	4	4								
Un. of Wooster	Wooster,	4	4	3	4	i	i				
Urbana Un	Urbana,		4	4		4				4	
Wilberforce Un	Wilberforce,	3	3	1	3	4				1	1
OREGON.											
Pacific Un	Forest Grove,	4	4	4	4	4	2		½	2	
PENNSYLVANIA.											
Franklin & Marshall Col	Lancaster,	4	4	4	4	4	4	4	4		
Un. of Pennsylvania	Philadelphia,		¾	¾		3		¾		4	4
Washington & Jefferson	Washington,		3	3							
Western Un. of Penn	Allegheny City	4	4	4							
RHODE ISLAND.											
Brown Un	Providence,	¾	¾	4	¾	4	4	i	i	i	i
SO. CAROLINA.											
Un. of South Carolina	Columbia,	6	6	6	6	6				*	*
TENNESSEE.											
Central Tennessee Col	Nashville,	3	3	3	3	i	i	i	i	i	i
Christian Brothers	Memphis,	¾	¾	¾	4				2-4		
Cumberland Un	Lebanon,	6	6	6	6	6					
Grant Memorial Un		3	2	3	¾	¾	3				
Un. of the South	Sewanee,	2	2	2			i	i	3		i
Un. of Tennessee	Knoxville,	4	4	4	4	i	i	i	i	i	i
VERMONT.											
Middlebury Col	Middlebury,	4	4	4							
Un. of Vermont	Burlington,	4	4	4				4	3	4	4
VIRGINIA.											
Hampden Sidney Col	Hampden,	4	4	4	4	i	i	i	i	i	i
Roanoke Col	Salem,		4	2-4			4	4	2		
Washington & Lee Un	Lexington,	6		6	6	6			9		
WISCONSIN.											
Ripon Col	Ripon,	4	4	4	4						
Un. of Wisconsin	Madison,	3	4	3	3					4	

ADDITIONAL INFORMATION.

Owing to the fact that many of the institutions for higher education have elective courses or are divided (like the University of Virginia) into separate "schools" or departments, it has been found difficult to answer the schedule by naming definite years.

The following remarks are copied from letters received from the presidents or from professors of political economy in the several institutions named:

Atlanta University (Ga.): "None of these subjects are taught except incidentally, . . . but some of them would be very valuable even in an elementary course—especially Nos. 5, 6, 7, and 8."

Clark University (Ga.): "Topics 1, 2 and 4 are studied under the head of political economy; topic 3 in a special text-book; topic 9 in our Normal Course; discussions have been held in topic 5. We endeavor to impress on our students their relations to society and the duties arising. Considerable attention is paid to hygiene and kindred topics. I think that more attention should be given in all grades of schools to topics 3 and 8 especially."

German English College (Ill.): "We touch on these topics quite extensively in class instruction on political economy, civil government, physiology and hygiene, moral philosophy, commercial law, etc."

Illinois College (Ill.): "Topics 1 and 2, 14 weeks; 3 and 4, 11 weeks; the others by lectures."

Earlham College (Ind.): "One term of twelve weeks, five hours each week, devoted to political economy."

Indiana University (Ind.): "My course in political science can be taken either in the senior or junior year, and is, I. Theory of Government; II. Comparative Constitutional Law; III. International Law and Political History. I have also a course in Economics and Sociology covering the two years (3d and 4th), and the topics 4 to 8 inclusive are taken up in a summary manner, and also as topics of special investigation. The coming year I hope to investigate the town and county poor-houses in our vicinity. As the work gets more thoroughly in shape I shall hope to extend this kind of original investigation on the part of the students."

Parsons College (Iowa): "Topics 1, 2, 3, 4, 9 and 10 are presented to classes in civil government, political economy, and international law."

University of Iowa (Iowa): "There is need of instruction in all the topics placed upon the schedule in collegiate work (besides the instruction given the Law and Medical departments)."

Berea College (Ky.): "We teach Perry's Political Economy with discussions: Young's Science of Government; Anatomy and Physiology and Hygiene; give much instruction on the subjects of intemperance, ventilation, etc.; Fairchild's Moral Philosophy, with lectures on chastity and on every vice, as well as on punishments and reforms; twelve lectures a year on Public Education, with discussions; the Bible, two days in a week; a weekly religious lecture; many prayer meetings, well attended; Young Men's and Young Women's Christian Associations; much social intercourse with constant moral improvement."

Centre College (Ky.): "Instruction given on all these topics in connection with the study of Moral Philosophy, Political Economy, International Law, Constitution, Physiology, etc., etc. Each of the ten topics are discussed to a greater or less degree. In text books many of these subjects are treated directly, others come up incidentally or are treated in lectures during the four years of the college course."

Johns Hopkins University (Md.): "Instruction is given in topics 5, 7, 9 and 10 in advanced (university) work. One lecture and one meeting of the Philosophical Seminary each week—to post-graduates only. Topics 2, 3 and 4 are treated in the courses in Political Science extending through two years."

Boston University (Mass.): "I enclose the following syllabus of Mr. F. B. Sanborn's course before the School of Medicine:

First Lecture, Wednesday, Jan. 27, at 8 P. M.

I. *Who, and How Many, the Dependent and Delinquent Classes are.*

1. The physically defective; including the blind, the deaf mute, the idiotic, the congenitally disfigured, the crippled, etc.

2. The mentally or morally abnormal; including the insane, the inebriate, the unbalanced or "cranky class," etc.

3. The unfortunate and therefore dependent; including widows and orphan children, the old and infirm, strangers in the country, persons thrown out of work, or suddenly deprived of means, by fire, flood or other calamity.

4. The sick, with those dependent on them.
5. The vicious; including persons habitually intemperate, prostitutes, vagrants, petty thieves, young offenders, etc.,—with the families of such, or persons who depend on them more or less.
6. The criminal class; including those who suddenly or habitually commit crime, and are either in prison, or are living in the community and may at any time be arrested for crime,—with those dependent on them, and often involved in their crimes.
7. The actual inmates of such public establishments as prisons, almshouses, hospitals for the sick, the insane, etc., schools for the blind, deaf and idiotic, asylums for special classes, such as old men and women, soldiers, sailors, orphans, etc.
8. Estimated number of these classes.

II. *General and Special Duties towards the Classes named.*

1. Duty of the State, as representing the whole community.
2. Duty of the Public, in its individual capacity.
3. Duty of the Professions, and especially the Medical.

III. *The Health of the Community, and of Individuals, as an Agent in producing the Dependent Classes.*

1. Sanitary conditions and ordinary sickness.
2. Contagious diseases and epidemics.
3. Insanity and its causes.
4. Maternity and diseases of vice.

IV. *Anomalous Position of the Medical Profession in regard to Disease and Vice.*

Second Lecture, Wednesday, Feb. 3.

V. *The True Character of a Public Establishment for a Dependent Class.*

1. Its relation to the State and the public treasury.
2. The admission and detention of its inmates.
3. Their sanitary condition and treatment.
4. Their visitation and inspection by individuals or committees.
5. Professional and general criticism upon the management of an establishment.
6. Its direct educational value to the medical profession.

VI. *Hospitals for the Sick and the Insane.*

1. These two classes unreasonably separated in medical education.
2. Insanity a specialty, but also involving the most general considerations.

3. Insanity in general practice.
4. Clinical instruction as necessary in regard to insanity as to surgery, or ordinary disease.
5. The Westborough Hospital, as related to the Massachusetts Homœopathic Hospital and Boston University School of Medicine.

VII. *Almshouses of the State or the Municipalities.*

1. In-door and out-door relief.
2. An almshouse necessarily a hospital in some degree.
3. Out-door medical relief and dispensary practice.
4. The Massachusetts system of out-door relief.
5. The regulation and visitation of almshouses.
6. The almshouse at Tewksbury and its history.
7. The city almshouses of Boston.

THIRD LECTURE, Wednesday, Feb. 10.

VIII. *Maternity Hospitals and the Care of Young Children.*

1. The need of maternity hospitals in cities, and the evils to be guarded against.
2. Infanticide and the desertion of children.
3. The Massachusetts system of care for motherless infants.
4. What may be done by physicians in this matter.
5. The disposal of "children of the State."

IX. *Truant Children and Juvenile Offenders.*

1. Vagrancy among children and grown persons.
2. Truant schools and local or private reformatories.
3. State reformatories.
4. The family system for reforming young offenders.

FOURTH LECTURE, Wednesday, Feb. 17.

X. *Prisons and their Inmates.*

1. The convicts themselves.
2. Their families and dependents.
3. Discharged prisoners.

XI. *General Remarks on the whole Subject."*

Harvard College (Mass.) : "As the course here is entirely elective, the topics are taken by men of all classes. Of course the higher studies (as indicated by the higher numbers) are generally taken by older men. The following in history answer your questions 3 and 4 :—

2. Constitutional Government in England and the United States (Introductory to Courses 11, 12, 13, 14, and 18). *Tu.*, *Th.*, *Sat.*, *at* 11 (*first half year*), *counting as a half-course.*

[4. Political and Legal Institutions of the Roman Empire.—Development of the Frankish Constitution to the death of Charlemagne. *Wed.*, *Fri.*, *and* (*at the pleasure of the Instructor*) *Mon.*, *at* 12 (*second half-year*), *counting as a half course.*

[8. History of Government and Administration in France from the Frankish period to modern times. *Wed.*, *Fri.*, *and* (*at the pleasure of the Instructor*) *Mon.*, *at* 10.

[9. Constitutional and Legal History of England to the Sixteenth Century. *Mon.*, *Wed.*, *Fri.*, *at* 2.

13. Constitutional and Political History of the United States (1783–1861) *Tu.*, *Th.*, *Sat.*, *at* 12.

18. American Colonial History (to 1783). *Tu.*, *Th.*, *Sat.*, *at* 11.

The following syllabus shows the scope of the studies in Political Economy for 1886-87, thus answering questions 1 and 2 of your circular: —

General Plan.

"The courses are so arranged as to attain two objects. (1) Familiarity with the leading principles of the science is not only desirable for purposes of discipline, but indispensable as a preparation for the study of practical questions. Course 1 (with Division *B* for the second half-year) aims to give that general knowledge which every educated man ought to have. For those, however, who wish to attain a thorough mastery of the principles of economics, one course is not deemed sufficient, and such students are strongly urged to continue this disciplinary training through a second year. To enable them to do so, an advanced course (Course 2) has been provided, devoted to a study of the principles and systems of various writers selected from different schools. (2) It is desired to turn the attention of students to the historical and practical side of the subject, affording training in the use of books and sources, the collection of statistics, and the investigation of such public questions as constantly arise from year to year. This second object is provided for in Courses 3, 4, 5, 6, 7, 8, and 10.

The purpose of the plan being clear, it can be used either by those who have only a limited time to give to Political Economy, by taking Course 1 and afterwards an applied course, or by those who expect to make a more thorough study of the subject, by taking 1 and 2, and as many other applied courses as may seem desirable; and, those who take Course 2, can at the same time carry

on work in any of the practical subjects. With this explanation of the scope of the general plan, students will find it useful to know the particular bearing of each course.

Detailed Statement.

1. *First half-year*: Mill's Principles of Political Economy. — Dunbar's Chapters on Banking.

Second half-year: Division *A* (Theoretical): Mill's Principles of Political Economy. —Cairnes's Leading Principles of Political Economy. *Division B* (Descriptive): Lectures on Money, Finance, Labor and Capital, Coöperation, Socialism and Taxation. *Mon., Wed., Fri., at* 9.

Course 1 is intended not only as a means by which a student may obtain the necessary preparation for advanced courses, but also as a means of acquiring that general knowledge of the subject desired by those who have little time to give to the study. During the first half-year attention will be given to the main principles of Political Economy and to the elements of Banking, and all who elect the course will have substantially the same work. J. S. Mill's *Principles of Political Economy* (the revised and abridged edition), and C. F. Dunbar's *Chapters on Banking*, will be used as the basis of the teaching, with illustrations, explanations, and questions in the class-room.

For the second half-year the members of the course will be separated into two groups, on the basis of their preferences and plans for the future. If a student expects to give further study to Political Economy he is advised to join Division *A*. About the middle of the year each student will be given an opportunity to choose between Division *A* and Division *B*. For admission to Courses 2 and 3 a student is required to have passed satisfactorily in Division *A*. It is understood, however that instructors may consider individual cases on their merits, and make possible exceptions to the rule for good reasons.

In as much as Division *A* will contain those who expect to make a more serious study of Political Economy, the work of the second half-year will be largely given up to a study of the principles, in order that greater familiarity with economic reasoning may be gained. It is intended to use portions of Mill, and of J. E. Cairnes's *Leading Principles of Political Economy* as the groundwork. It is hoped to carry on this part of the course through the means of problems accompanied by references to the authors.

Division *B* is intended primarily for those who mean to take but one course in Political Economy. Its object will be to illustrate the application in practice of the principles dealt with in the first half-year. Brief consideration will be given to the labor question, coöperation, industrial partnership, trade-unions, socialism, free-trade and protection, money, bimetallism. The work will be large-

ly descriptive and historical. The instruction will be partly by lectures, and partly by the discussion of Upton's *Money in Politics*, Jevons's *The State in relation to Labor*, and other brief books.

*2. History of Economic Theory. — Examination of selections from Leading writers. — Lectures. *Mon.*, *Wed.* (*at the pleasure of the Instructor*), *and Fri.*, *at* 2.

Course 2 is intended for those who mean to make a more exhaustive study of the literature and the leading principles of the subject than is given in Course 1. An examination will be made of the historical development of Political Economy and of the views of contemporary writers on important questions of principle. The first half of the year will be occupied chiefly with the history of economic doctrines. The instruction will be partly by lectures, and partly by the discussion of passages from the works of great economists, such as Adam Smith and Ricardo. In the second half of the year certain selected topics will be taken up, and their treatment at the hands of writers of the present time (such as Cairnes, Sidgwick, Walker, George, Leroy-Beaulieu, Wagner) will be examined. The topics for 1886–87 will be taken from the following list: the wage question; interest; rent; manager's profits; the theory of money; international trade; the method and scope of political economy; socialism and the relation of the state to economics. For admission to Course 2 it is required to have passed satisfactorily in Course 1, Division *A*.

*3. Investigation and Discussion of Practical Economic Questions. — Short Theses. *Tu.*, *Th.*, *at* 3, *and a third hour to be appointed by the Instructor.*

Provision is made for the discussion and study of such practical questions of the day as may come up from time to time. Only those who have passed satisfactorily in Course 1 will be admitted to this course. Special and detailed investigations are confined to Course 10. In Course 3 it is expected that a number of topics will be taken up, thus requiring no exhaustive treatment of single subjects. Without losing more time than in an ordinary course, it is intended that each student shall have practice in collecting the facts and in making a simple statement of opposing arguments on some part of a question of the day, in the form of a short thesis. The topics thus presented will be the basis of discussion by other students, or by the instructor. It is the plan, however, to keep this essentially an elementary course in investigation, open to those who do not intend to carry on an elaborate investigation in Course 10. So far as can now be stated, the topics for 1886–87 will be taken from the following list: —

The navigation laws and American shipping; bimetallism; appreciation of gold; reciprocity with Canada and Mexico; advan-

tages of government issues of notes compared with those of the national banks; railway transportation; American competition; the surplus revenue; coöperation.

4. Economic History of Europe and America since the Seven Years' War. — Lectures and written work. *Mon., Wed., Fri., at* 11.

It is intended in Course 4 to trace the economic effects of the great events in the history of the last one hundred and twenty-five years. This course does not require any previous study of Political Economy; but it is greatly for the advantage of the student electing it to take or to have taken either Political Economy 1 or History 12 or 13. The following topics will be treated:—

The economic results of the invention of textile machinery and of the use of steam; of the American and French Revolutions; of the introduction of railways; of steam navigation; of the new discoveries of gold; of the refined uses of credit; of the civil war of 1861–65; and of the Franco-German war of 1870 and the political reorganization of Germany.

In addition to the lectures in which these topics are treated, text-book work will be prescribed for 1886–87; and, besides the regular mid-year and final examinations, hour examinations will also be held; in place of which, however, proficient students may substitute written work, upon special subjects assigned by the instructor.

*5. Economic effects of Land Tenures in England, Ireland, France, and Germany. — Lectures and Theses. *Once a week, counting as a half-course.*

This course is open only to those who have passed satisfactorily in Course 1. Special topics are assigned to members, and the written thesis when prepared is made the subject of criticism and discussion by the instructor. In these studies students are expected to reach conclusions through their own investigations, and by the aid of the collection of facts and statistics in the College Library. This course covers the questions now of political importance in England, Ireland, France, and Germany in their economic aspects, and embraces the following subjects:—

In England: the land laws; relative position of landlord, tenant, and laborer in the last one hundred years; tenant-right; leases; prices and importation of grain; repeal of the corn-laws; American competition; peasant proprietorship. — In Ireland: the ancient tribal customs; English conquests; relations of landlord and tenant; security of tenure; Ulster tenant-right; absenteeism; parliamentary legislation; acts of 1869, 1870, 1881, 1882; population; prices of food and labor.—In France: feudal burdens on

land; relation of classes, and condition of peasantry and agriculture before the Revolution; small holdings and the law of equal division; present condition of peasantry and agriculture; growth of population; statistics of production, wages, prices; peasant proprietorship.—In Germany: reforms of Stein and Hardenberg; condition of agriculture; peasant proprietors; statistics of wages and prices.

*6. History of Tariff Legislation in the United States. *Tu.*, *Th.*, (*at 2 second half-year*), *counting as a half-course.*

Course 6 is partly economic and partly historical. The economic principles which should govern tariff legislation, and the fiscal and administrative questions arising in connection with it, will be discussed. In the historical part of the course attention will be given mainly to the history of legislation on the tariff in the United States from 1789 to the present time. Brief consideration will also be given to the experience of the Colonies in foreign trade before the Revolution; and, in the latter part of the year, to the tariff history of England, France and Germany. It is recommended that this course be taken in connection with Course 8 and with History 13. The nature of the course is indicated by the following summary of the topics taken up in the tariff history of the United States:—

I. 1789–1816: Tariff system adopted after the formation of the Constitution; Hamilton's report; the state of the protective controversy before 1816; the beginnings of manufacturing industry.—II. 1816–1840: The American System; Henry Clay; the tariffs of 1824, 1828, 1832; the Compromise Tariff of 1833; the growth of manufactures; the economic effects of protection.—III. 1840–1860: The political tariffs of 1842 and 1846; the industrial progress of the country from 1846 to 1860.—IV. 1860–1883: the Civil War; the development of the existing tariff system; the act of 1864; the tax reducing acts of later years; the tariff revision of 1883; the economic effects of the protective system.

For admission to Course 6 a student must have passed satisfactorily in Course 1.

*7. Public Finance and Banking.—Leroy-Beaulieu's Science des Finances. *Mon.*, *Wed.*, *Fri.*, *at* 3.

In this course it is proposed to review the financial system of two or three of the leading modern countries, their methods of taxation and of borrowing, and the characteristics of their banking-systems, especially as connected with the public finances. Illustration by comparison with the practice of less important countries and by historical examples will be an essential part of the work.

Written reports by the students upon assigned topics and dis-

cussions thereon in the class-room will be chiefly relied on in conducting this course, and for admission to it a satisfactory record in Course 1 is required.

*8. History of Financial Legislation in the United States. *Tu.*, *Th.*, *at* 2 (*first half-year*), *counting as a half-course.*

In this course, for admission to which it is necessary to have passed satisfactorily in Course 1, a comprehensive review will be made of the financial history of the United States, with special consideration of Hamilton's financial system, the struggle over the second Bank of the United States, and the finances of the civil war and of the period of suspended payments. This course is advantageously taken with Course 6, making a full course for the year, and is also a useful accompaniment to History 13. It will be carried on with a limited number of lectures, with frequent reports by students upon assigned topics, and with a prescribed course of reading.

*10. Special Advanced Study and Research.—In 1886–87, competent students may pursue special investigations of selected topics under the guidance of any one of the instructors.

Course 10 is open only to Graduates, to Candidates for Honors in Political Science, and to Seniors of high rank who are likely to obtain Honorable Mention in Political Economy. The subject to be pursued is selected upon consultation and agreement with the instructor under whose direction the student is to work, and the course can then be taken, either as a full course or as a half-course, as the nature and extent of the investigation may in the judgment of the instructor require."

Williams College (Mass.) "Topic (1) all the Junior year, one hour daily; (2) sixteen weeks of Junior year, one hour daily; (3) all Junior year, three hours weekly. Topics 4-10 are touched on incidentally in connection with the Constitution of the United States, which is learned and recited; and in connection with lectures on the Common and Roman Law. Two terms of history, English and American, six hours a week, give additional opportunity to treat social science topics."

Michigan University (Mich.) "Impossible, with our system of electives, to say in what year of a student's course these studies will be taken; but it is safe to answer that most of this work comes in the third and fourth years of collegiate residence. Some of the more elementary studies may be begun in the second half of the second year."

University of Minnesota (Minn.) "In my judgment, subjects 1, 2, 3, 4, 7, 9 and 10 should be taught to all undergraduates — of course only elements can be given to undergraduates. No. 5 will receive some incidental notice in the department of Ethics—as also will No. 6; No. 8 should be so generally taught in lower schools as to give all necessary instruction not technical. The secretary of the State Board of Health gives an admirable course of lectures to our Seniors. We plan to instruct post-graduates in any of these specialties, according to their choice. Last year the specialties chosen were Money, Property, Taxation and Land Systems. The course for undergraduates is this:

Fall Term.—Political Economy (topics 1 and 2.)

Second Term.—Civil Government (topic 3.)

Spring Term.—American National Economy (topics 4-10 except 5-8.)"

University of Missouri (Mo.): "Topics 1, 2, 4, 5, taught in the Law School; 3 and 4 in the English School; 6 and 7 in the course on Ethics; 8 by the professors of the Medical School; 9 and 10 by the Normal School [Missouri having a Normal department in the State University.]"

Washington University (Mo.): "Topics 4-10 discussed in connection with work in political economy and ethics."

College of the City of New York (N. Y.) "All the topics in question are treated or touched upon either in the Junior year course in political and social science, or the Senior year philosophy; some of them from more than one point of view."

[A printed paper on "the method of meeting the new social issues by education," was received from Prof. G. B. Newcomb.]

Columbia College (N. Y.): "All the matters embraced in the schedule, except pedagogics, are taught in this college, but not in the same School. Those falling under political economy are taught in the School of Arts and in the School of Political Science. The other topics are taught in the Schools of Law and of Mines."

Rutgers College (N. J.): "Lectures on 'Duties of Civilization' in Senior year. The President in brief discussions before the college 'Bible Class' treats these topics as applications of Christianity to social problems of our time. Also, in Lieber's Political Ethics in Senior year."

Hiram College, (O.) "All the subjects mentioned in the schedule sent me are worthy of the careful and critical attention of the

educator, especially the topics numbered 4, 6, 7, 8 and 10. One of the most pressing questions of the day in America is, "What is Education?" It is a question in the minds of some so-called "educators" whether a knowledge of the things mentioned in your schedule should enter as a factor into education. I believe we see the dawn of that day in which "Civics" and "Social Science" will occupy a prominent place in the curriculum of American colleges."

Kenyon College, (O.) "As to what topics in the list may be profitably studied by college students, I would say that I regard those numbered 1, 2, 3, 4 and 10 on the schedule, as coming before the others. But in my judgment the theory of fluctuations in market values ought to be made a special topic, and precede items 1 and 2."

Ohio Wesleyan University, (O.) "We teach under No. 1 that property is a trust held first for God, second, for the State, third, for the family, fourth, for self. Under No. 2 that Republican institutions necessitate higher prices for labor, and greater distribution of comforts than despotisms, monarchical governments, or privileged classes. Under No. 3, that the organic unit of all mankind is the state that is best for all, and at the same time for each. Under No. 4, that corporations have no souls to save, nor faces to slap—every big fish feels it a religious duty to swallow the little ones. Under No. 5 we teach, contrary to Dr. Woolsey, that the first motive in punishment is to reform and save the criminal. Under No. 6 we teach that it is best to watch children as an officer watches a convict, till they reach majority, and insist on instant obedience, and "mix it a' wi' prayer." Under No. 7 we teach that the State should be father and mother to the helpless, but should not interfere with Providence in warding off from the able and intelligent the consequences of crime. Under No. 8, that lack of light, murderous cellars, imperfect sewage-pipes, are the crying sins of builders, mechanics, and city authorities. Under No. 9, absolute perfection in reading, writing, spelling, grammar, arithmetic, geography, and physiology should be attained. Under No. 10 the perfect and symmetrical development of all the powers of the mind. Technical, professional, elective education in the development of the mind as an end (which is liberal culture), is an abomination of abominations."

University of Wooster, (O.) "A new professorship, now more

than half endowed, has just been established here ; it is named the chair of Morals and Sociology."

Pacific University, (Oregon.) "I look for the next great advance of man in the line of the social sciences, rather than in the natural sciences."

Franklin and Marshall College, (Pa.) "We continue to use the old College Curriculum. In the senior year we teach political economy, and devote a whole year to ethics, in which I lecture on the family and the State, covering a full course of instruction in Social Science viewed from the standpoint of ethics—*i. e.*, the ethics of social economy."

University of Vermont, (Vt.) "Sanitary Science is taught in detail ; all except sanitation is taught under the general subject of political economy and social philosophy."

THE SOCIAL SCIENCES.

THEIR GROWTH AND FUTURE.

(A Report read before the American Social Science Association, September 10, 1885, at Saratoga, N. Y., by F. B. Sanborn, General Secretary.)

Ladies and Gentlemen, Members of the Association:

It is twenty years, lacking some four weeks, since our society held its first meeting in Boston, which was called together by a department of the state government of Massachusetts and convened in the State House. I mention this fact, otherwise of little moment, to show what view was then taken of a question sometimes discussed among us—the share which a popular government should have in discussions such as we carry on. It was then believed (at the close of our great civil war, in which the government had, from necessity, been absolute and military in most of its branches,) that there were many social concerns, not hitherto held as very closely related to the government, in which the people, through their representatives and the administrative officials, should take a certain definite part. These related to the public education, the public health, and that arrangement of the public finances upon which the whole structure of private commerce and pecuniary activity depends; and, from that time onward, in the United States, it has been more and more the affair of government, both local and national, to busy itself with school funds and school boards,—with boards of health, boards of charities, commissioners of lunacy, of valuation and taxation, tariff commissions, Indian commissions, the official inspection of banks, factories, mines and crops;—the collection of innumerable census statistics; the investigation of railroad and telegraph traffic, and its partial regulation; the establishment of parks, museums, libraries, art galleries, etc., wholly or in part at the public cost, and so on, to a degree which has excited in our distinguished associate, Herbert Spencer, serious alarm lest modern society may be reduced to slavery and socialism. Without pausing to consider this danger now—for it does not seem immediately pressing—I would only remark that our Association, at its very outset, seems to have contemplated just this expansion of the powers and interests of a popular govern-

ment, and not to have dreaded disaster therefrom. But we also contemplated as our own more special work, the combination of private initiative and associated activity with whatever governments might undertake; and this was foreshadowed in our first meeting, at which many official persons from several of the states were present.

Of those who then associated themselves for this purpose, but few remain active in our association, and every year removes some of them, and of those who have since joined us. Among such deaths in the past year I would mention with deserved commemoration, Dr. Edward Jarvis, of Massachusetts, who, in 1865, stood among the foremost in America for statistical research and philanthropic breadth of view. Others may have overtaken or distanced him in these later years, when the range and the instrumentalities of statistical science have so vastly increased; but none could excel Dr. Jarvis in sincere interest and tireless industry for such pursuits. He was no less devoted to sanitary questions and to the care of the insane and idiotic—that painful province of modern civilization in which society has so much to learn and to suffer, before a portentous evil can even be understood — much less checked and abated. In these fields, and in all the domain of philanthropy, Dr. Jarvis was constantly hopeful—perhaps beyond the scope of reasonable anticipation,—but this is a rare and generous fault even in the young, and how seldom do we find it in experienced age! His private virtues were the natural accompaniment of these public qualities, and he was fortunate not only in the peace of his life, but in the felicity of his death.

What shall I say then of that other and far greater citizen, whose life—lately ended, amid the admiring regret of his countrymen and of the whole world—drew its chief distinction from the bloody annals of war, yet sought peace alone in that labyrinth of battles, and bravely achieved its aim? General Grant was for a short time one of our members, though he took no active part in our organization, and is chiefly remembered, in this connection, for the early and effective recognition he gave as president of the United States to those principles of civil service reform which our Association so long ago presented and maintained. It was he who appointed to high position in the early work of this reform our associates, Mr. Curtis and Mr. Eaton, who have been permitted at last to see the result of their labors in the arrest and prospective

downfall of the "spoils system" of appointment to public office. True, President Grant did not show that wonderful power of completing a campaign, in matters political, which General Grant had displayed in the affairs of war; and it was left for others to fight out the civil service battle on that line, through many summers. But much is due to the silent soldier for his initiative in this affair, undertaken, as it was, against the open or secret hostility of his party friends or supporters, to whose ill advice he owed the errors of his civil administration. Forgetting these, until such time as the good of our country may force us to remember them, let us dwell with a more generous satisfaction on General Grant's unexampled military career. If the genius of this great soldier had led him, like other famous conquerors, to victories however brilliant, over trampled nations and the institutions of his own country, it would not be the part of the social science to celebrate them. War in itself is unsocial and abhorred by the students of our science.

> We love not this French god, this child of hell,
> Wild war, that breaks the converse of the wise.

And our champion, irresistible in war, was one of the few great conquerors who hated the deadly art by which he rose to fame and sought only peace in all his campaigns. His upward progress was swift and sure,—more rapid and more brilliant than Cromwell's,—equally fortunate, on a far grander scale, and at the same time more permanent in its successes. Like Cromwell, Grant broke forth from obscurity and seemed to command good fortune as well as vast armies, by that singular personal quality which forbade Cæsar and Alexander to be defeated :—

> For, if we would speak true,
> Much to the man is due,
> Who, from his private gardens, where
> He lived reserved and austere,
> As if his highest plot
> To plant the bergamot,
> Could by industrious valor climb
> To ruin the great work of Time,
> And cast the kingdoms old
> Into another mold.
>
> * * * *
>
> But he, the war's and fortune's son,
> Marched indefatigably on,
> And for the last effect
> Still kept the sword erect.

And when Grant laid down the sword all armed contention ceased,

so perfectly had he finished the work of war—more remarkable in this than Alexander or Cæsar or Cromwell or Napoleon—because, unlike them, he sought neither dominion nor glory, but peace alone, and the welfare of mankind.

It is this ever advancing goal of human welfare that the students of social science aim at, and when some phase of it has been obtained, we still find it in other forms as far before us as ever. In the twenty years' period now closing we have seen many results once deemed unattainable, resting in secure accomplishment, while other objects of hope that were long despaired of, seem now close at hand. I will not stop to point out what these are, and will dwell for a moment only on the growing community of thoughts and interests among the nations of the world, which has at last made the universal study of the social sciences possible. The ever-flowing currents of commerce, like those ocean streams upon which its cargoes are borne, and the main tidal-wave of emigration, pushing forward into every unoccupied land, have at last reached the long inaccessible regions of central Africa; while the vast solitudes of central Asia are opening at the march of armies and the serpent-like approach of the railroad. These are but new and extreme illustrations of that advancing, co-operating civilization which has been at work for centuries to bring together the ends of the earth in a league of interest and mutual good-will; but the process is wonderfully hastened of late, and even since our Association was organized in 1865. Twenty years more of such progress in international relations, and the geographical extension of trade and of democracy, and the whole face of the earth will seem changed. There will be throughout the world what the American patriot sighed for long ago—"no North, no South, no East and no West"; the points of the compass will no longer indicate anything but geographic facts, and civilization will be of no particular hemisphere or latitude, for there will be but one civilization. "Three hundred religions and only one gravy!" sighed the disgusted Frenchman in Great Britain; and it must be confessed there are resources against *ennui* in the variety even of pudding-sauces. "All men of sense," said the first earl of Shaftesbury, "are of one religion;" but when his inquisitive friend asked, "What religion may that be, my lord?" he was fain to answer, "That, madam, men of sense never tell." I will not undertake to forecast what our own civilization will be in 1905; but it is safe to say it will be

broader, more tolerant, more inclusive and less selfish than the present dispensation. Our friends of the pessimistic school dwell with grim satisfaction on their doctrine that teaches "survival of the fittest;" but if the fittest do survive, they must make the world a fitter place to live in. It is the survival and not the extirpation upon which the student of social science fastens his attention,—letting the dead bury their dead. But we must never forget that moral fitness is an element in natural selection; there is also a spiritual something that comes in due time after the natural and survives it, as being the fittest. If men, or even dogs, were what some economists describe as men,—creatures of selfishness alone, enlightened only in order to satisfy self more exquisitely—this earth would be a very different and far worse planet than it is. Dr. Johnson declared that he had constantly found men less just and more beneficent than he had expected,—that is to say, less logical and more sympathetic; and if I were to select a single term by which to qualify the whole race of mankind, perhaps sympathetic would be as good as any. Even Lucan's Cato—inflexible disciple of a harsh sect, whose boast was to follow nature and scorn metaphysics—viewed himself as born not for self but for the wide world of men,—

Nec sibi sed toti genitum se credere mundo.

In other words, he was sympathetic, and instead of seeking the survival of the fittest—that is, of himself—he pledged his life for his country, and was tender of the public rather than of his own carcass.

Patriæque impendere vitam,
In commune bonus; nullosque Caton's in actus
Subrepsit partemque tulit sibi nata voluptas.

This native delight of selfishness, which had so little share in Cato, has long been the portion of mankind in general, and may be taken for granted and reasoned from, as the economists and pessimists have done; but it by no means tells the whole story. There is a suppressed premise in this enthymeme of human history, which is sure to declare itself in the conclusion, to the shame of "sophisters, economists and calculators," as Burke called the pedantic class in his time. The whole chronicle of our civil war, and the career of him whose sword cut the Gordian knot that tied up our liberties with slavery, is one long protest against that theory

of human nature which founds it on selfishness, enlightened or benighted. Mankind are both selfish and "sentimental"—sometimes sentimental in their selfishness; but, on the whole, the sentiments prevail over the desires. This should be understood by those economists who waste so much breath in denouncing "sentiment" and "metaphysics,"—forgetting that their own science is a metaphysical one, and in few respects to be assimilated to a natural or an exact science. M. de Laveleye has lately spoken to some purpose on this point, saying: "When certain laws, which are only suitable to natural science, are borrowed from biology and applied to local relations, men's moral senses must inevitably become deadened, and the thirst for perfection be destroyed. Generations educated in this school would never effect such revolutions as those of the 16th century, or that of 1789. They would be perfectly ready to submit to every tyranny, considering it a decree of nature." To the same effect, but more positively, as was his wont, Emerson says, "The sentiment of mercy is the natural recoil which the laws of the universe provide to protect mankind from destruction by savage passions."

You have had an opportunity to learn in the past two days what are the aims of that newest organization, the American Economic Association. I have found them concisely stated by one of the members, Mr. Edward Bemis, who will have something to say on "Socialism" at one of our meetings. He declares that "a growing number of the most scholarly investigators" who refuse "to recognize as all-embracing those old theories of the English economists which exalt selfishness, and insist that the greatest progress is secured only when the freest competition prevails,"—are now seeking "to study what *is* and also what changes are practicable to bring about what *ought to be*." Methinks this expresses very well what our association has been doing in its broader field and with more miscellaneous activity, for the last twenty years. To learn patiently what *is*—to promote diligently what *should* be,—this is the double duty of all the social sciences, of which political economy is one.

It is a pleasure to find in the essays of a former associate—with whom we do not always agree, and who perhaps would differ from us in the remark just made—a full recognition of the broad task of what he calls "Sociology." Prof. Sumner says: "Sociology is the science of life in society; it investigates the forces which come

into action wherever a human society exists. Its practical utility consists in deriving the rules of right social living from the facts and laws which prevail by nature in the constitution and functions of society. At this moment our knowledge of social science is behind the demands which existing social questions make upon us. It is to the science of society, which will derive true conceptions from the facts and laws of the social order, studied without prejudice or bias of any sort, that we must look for the correct answer to those questions."

A perception of this necessity, which Prof. Sumner has stated none too strongly, has led within a few years to the systematic teaching of social science in American colleges and universities. Perhaps the earliest example of this was in a Massachusetts college not far off (at Williamstown) where Prof. Perry, in connection with his specialty of political economy, has for twenty years given more time to the generalizations of social science than most college instructors. Next to Williams college, in point of time, has been the university of Michigan, so far as I know; for there several departments of social science have been dealt with by lectures for the past four years. Dr. Edward S. Dunster (whom I remember at Harvard college thirty years ago), has given two lectures a week for half the university year at Ann Arbor to the discussion of the more direct social problems, such as Popular Education, the Labor Question, the Burdens and the Prevention of Pauperism, the Punishment of Crime, etc. Prof. V. C. Vaughan at the same university has been lecturing during the same four years on sanitary science, including a discussion of food, water supply, clothing, heating and ventilation, healthy homes, etc. His first class in 1881 consisted of four students with some few citizens of Ann Arbor; his class last year contained 112 students. At Harvard university Prof. F. G. Peabody, a clergyman, commenced systematic instruction in social science last year to a class finally consisting of fifty students; and I cannot do better than to state from his letter to me the manner in which he began and conducted his work. He says: "I was led to my subject by a somewhat different road from most of those who deal with it. As a teacher of ethics I became aware of the chasm which exists between such abstract study and the practical application of moral ideals; and it seemed to me possible to approach the theory of ethics inductively, through the analyses of great moral movements, which could be easily char-

acterized and from which principles could be deduced I studied thus with my class the problems of Charity, Divorce, the Indians, the Labor Question, Intemperance, with results of surprising interest. My class, under our elective method, grew from ten to fifty and was made up from five departments of the university. Each student made written reports of personal observation of some institution of charity or reform; and from these data thus collected I endeavored in each case to draw out the ethical principles involved. The results of the examination showed that the students felt a living interest in the subjects treated; and I think they will be more public-spirited as citizens and more discreet as reformers by even this slight opportunity for research. There is in this department a new opportunity in university instruction. With us it has been quite without precedent. It summons the young men who have been imbued with the principles of political economy and of philosophy to the practical application of those studies. It ought to do what college work rarely does—bring a young man's studies near to the problems of an American's life. What you say of the conflict with *laissez-faire* economies is precisely that which, under each head of my discussion, I have tried to make clear; and it is refreshing to see that young men are quick to see the insufficiency of that school." Another clergyman, Rev. S. W. Dike, of Royalton, Vt., a well-known member of our association, has also introduced social science in the past year at the Andover theological seminary, where he gave six lectures on "The Family, with Special Reference to Social Problems." The subject was treated from the moralist's point of view, with some regard to doctrinal theology; and this course was perhaps the first on such topics ever ever held in a divinity school.

A third clergyman, Rev. R. E. Thompson, of Philadelphia, better known as an author and a professor in the university of Pennsylvania, has for some years been lecturing at that university, on those themes of social science which are closest connected with political economy, on which Prof. Thompson is an authority for his school of opinion. He wrote me in regard to his method of instruction: "I change every year the ground traversed, so as to keep the subjects fresh to myself. I generally take up the living questions in political economy, and give my lectures as foot-notes to the newspapers. But I also include more general topics of social science,—such as Communism, Socialism, Organization of

Charity, Prison Discipline, the Elevation of the Working Classes, the Temperance Problem, the Public Education. My lectures are open to the public, and in some years I have quite a considerable attendance. One year I had to adjourn my class to the college chapel."

Concerning other forms of social science instruction at Philadelphia and Baltimore, we have already heard from Prof. James, Prof. Ely and others, or shall hear this morning. As a text for the discussion which will follow this report, I may now give, rather more at length than these professors have written, my own experience as a lecturer at Cornell university last spring.

For several years past President White had been proposing to me a course of lectures on social science, in some of its many applications, to be given at the university which, without bearing his name, owes its marked success and rapid growth to his wise, persistent and patient direction, and to the inspiration of his broad scholarship and his just perceptions of what an American university might and should be. I had said to him that, while I distrusted my own fitness for the task, I would undertake it, so soon as he would indicate definitely what course of instruction would be suited to the young men and women under his charge at Ithaca. It seemed best to him, in 1884, to begin the new department neither with ethics nor economics nor with what is broadly termed sociology, but with practical lectures on the treatment of the public dependents,—the insane, the poor, the vicious and the criminals of an American state—illustrated and enforced by visits to the larger establishments in the "Empire state" of New York, several of which lay in easy proximity to Cornell university. Such a course did not exclude, but rather required exact definitions of these different classes among the great mass of the dependent and dangerous persons for or against whom society must provide; and I endeavored to base these definitions, not on an assumed metaphysical state of mind in the abstract man, but on the actual state and circumstances of many thousands of such persons who had come under my notice in some twenty years' contact with them. An experience of this kind naturally leads one to generalize, not without deduction, but on the whole inductively, and with a regard to the probable rather than the inferred or hypothetical result of what might be done concerning the classes in question. Such generalizations I threw into the form of introductory lectures, trac-

ing historically the methods of dealing with crime, pauperism, insanity, preventable disease, public vice, etc., and showing how these evils and therefore the mode of meeting them had been affected by the changing conditions of modern civilization. I purposely avoided most of the doctrinary points about which writers have been disputing for centuries, except as these seemed to have been disputing for centuries, except as these seemed to have been settled by the consent of mankind. But of course it was not possible to avoid meeting the chimera of non-interference by government,—the Franco-Britannic specter of *laissez-faire*,—which has been conjured up so many times to thwart wise statesmanship and a decent public policy, in the ethical relations of government. My hearers were instructed so far as thirty lectures and visits to prisons, asylums and poorhouses could do so, that civilization itself is an affair of self-restraint and mutuality of help among individuals; that where self-restraint fails, this help consists in actual restraint by others; that the manifold forms of restraint and assistance, which good parents exercise toward their children, must also be exercised by the virtuous community toward its weak, vicious ond rebellious members who are to the majority as children are to parents; and that the experience of mankind fully justified this view of social ethics. Of course I pointed out that individualism must be respected and cherished,—that there was a hurtful as well as a helpful paternalism, and that experience,—not bald axioms and doctrinaire precepts—must be the guide of mankind, as it commonly had been. I therefore preferred that those who heard me should form their own opinions from observation rather than indoctrination; that they should not "run of a notion" as our New England grandfathers used to say, but should look into every case as it came up, and apply the tests of fallacy according to common morality and common sense.

Such being the plan and the course being in a two-fold sense *experimental*, we were compelled to diverge from a strictly logical path by the visits which we made to the public establishments. Thus early in the series of lectures an opportunity offered to visit Mr. Brockway's remarkable reformatory prison at Elmira—which in itself is a social science university—so that I turned aside, after a general view of the social sciences and their manifold application in a single lecture, to give three upon Crime, Punishment and Prison Discipline. The most useful of these, no doubt, was that

conference which we held in the Elmira reformatory, in the very presence of the class whose character and conduct we were studying. Few of those students who made the visit are likely to forget the impression then received, if I may judge of the remarks they afterward made, and by the essays they wrote descriptive of what they had seen.

We then passed along, by two general lectures on Public Education, Public Health, and some economic aspects of social science, to the consideration of public poverty, to prepare our minds for a visit to the county poorhouse. This was followed by a few lectures on Insanity and its Treatment, historically considered, in anticipation of a visit to the largest collection of insane persons in the United States—the Willard asylum on Seneca lake—where we spent a whole day, and were thus enabled to examine thoroughly the economy of a great and well-managed public establishment. Subsequently, and in the light of practical observations already made, we took up again, for more thorough discussion, the problems of public charity, of crime and insanity, the education and reformation of poor and vicious children, the management of prison labor, etc., closing the course with a visit to the old-fashioned state prison at Auburn, where we found the convict industries demoralized by the absurd agitation against convict labor. In this tentative course of instruction, with a miscellaneous class of students numbering from forty to sixty, it was not possible to be systematic in the sequence of topics and the order of visits, which we called our "laboratory work." But another year, with a more exact knowledge of the task before us and the acquirements of those who take part in it, we can so arrange the subjects of study as to bring them forward in a logical order. The time assigned for these lectures at Cornell university is the spring term—from April to the middle of June—and the students who attend them are members of the four undergraduate classes, of the special schools and of the small post-graduate body. I was agreeably surprised, as all who lecture on these subjects seem to be, with the warm interest manifested, and the progress made by most of the class. Special works of study and reference were given out to them; they were required to write essays on topics involving research, and their acquirements were tested by oral examination. In the second year written examinations will be held, and a course of visits arranged, if possible, so as to illustrate more completely the general studies pursued.

Without entering more in detail into the work done at Cornell, I leave the matter here, to be further considered in the debate; which will perhaps turn partly on the best methods of study, and partly on the scope and result of these studies. I regard the introduction of definite instruction in the social sciences, as a whole, into so many American universities as both the result and the extension of our work in this Association. The zeal with which such instruction is sought, wherever it is offered, sufficiently indicates the need of it, and also that the time has arrived when it can be given with broader scope and for more practical uses than ever before. Much, very much, remains to be done for the methodical and judicious direction of these studies,—the whole outline and classification of the social sciences is still to be defined and prudently maintained. They need to be guarded, on the one hand, from those who would push their analogy with exact science, and with the natural sciences which are not exact, too far, and thus hasten into generalization and prediction for which the facts of human nature afford no warrant. On the other hand, they need to be protected from those persons of a more practical turn, who would submit all the applications of social science to the tests of an immediate and shifting expediency, and from those also who too hopefully and philanthropically rush to conclusions which the experience of mankind has not yet justified. Yet we must regard this last-named class of thinkers as by no means shallow enthusiasts, but often as prophetical persons who arrive by anticipation at theoretic results which the tardy race of men do not reach for years or centuries. We should be bold deniers of the indefinable potency of the human spirit, urged onward by its divine inspirer and guide, did we venture—in view of the spaces already gained, or even those which the last twenty years have made visible—to assign limits of possibility for the advancing, uplifting wave of a better civilization. Evils no doubt, and great ones, attend each onward movement, but these are a part of human destiny, and of ever slighter range and tenure, century by century, as the beneficent current of ages flows forward.

METHODICAL EDUCATION IN THE SOCIAL SCIENCES.

A special committee of the AMERICAN SOCIAL SCIENCE ASSOCIATION, appointed in December, 1885, and consisting of Prof. E. J. JAMES, of the University of Pennsylvania, Prof. FRANCIS WAYLAND, of Yale College Law School, and Mr. F. B. SANBORN, Lecturer on Social Science in Cornell University, has prepared for consideration the following schedule; which was approved by the Council, June 26, 1886.

TOPICS PROPOSED FOR LECTURES AND CONFERENCES ON SOCIAL SCIENCE.

UNIVERSITY AND COLLEGE LECTURES.

(Arranged according to the Five Departments of the American Association: Education, Health, Trade and Finance, Social Economy, and Jurisprudence.)

I.

DEPARTMENT OF PUBLIC EDUCATION.

1. *The Relation of Government to Education.*

a. Schools an essential part of State Policy.
b. Primary Education to be undertaken by the Public.
c. Limits of Public Common-School Education; with the argument for and against its extension.
d. Religious and Secular Instruction.
e. Special and High Schools under the Patronage of the State.
f. Education of the Poor, the Neglected, and the Vicious.
g. Relation of the State to Higher Education, Liberal, Technical or Professional.
h. Academies and other Learned Societies.

2. *The Course and Object of Education.*

a. Physical, Mental, and Moral Training.
b. The Study of Nature and of Language.
c. Mathematical Studies and Pure Science.
d. Applied and Developed Science.
e. History and Philosophy.
f. The Family, the Church, and the State.

3. *Institutions of Education.*

a. The Kindergarten and its Equivalents.
b. The Governess, the Tutor, and the Private School.
c. The Common-School of America.
d. Co-education of the Sexes.
e. High Schools, Colleges, and Professional Schools.

4. *Pedagogy as a Social Science.*

a. The Teacher's place in the Community and in History.
b. Teaching by Men and by Women.
c. Instruction Scientifically Considered.
d. The Order of Development in Systematic Education.
e. Conversation and Conference as a Method of Education.
f. The Lecture System in its Professional and its Popular Aspect.
g. Libraries and Newspapers.

5. *Moral Education as a Social Result.*

(These Educational topics may be extended indefinitely.)

II.

PUBLIC HEALTH.

1. *Sanitation in the Broad Sense.*

a. Why Governments must regulate Sanitary Conditions.
b. The effect of Dense or Sparse Population on Public Health.
c. Hereditary Influences—Longevity and Transmission.
d. Earth, Air and Water as Sanitary Agents.
e. The Prevailing Unsanitary Conditions.
f. Preventives and Remedies.

2. *Birth, Marriage and Death.*

a. Vital Statistics defined and illustrated.
b. Records of Parentage, Nationality, Diseases, etc.
c. Infancy and Infant Mortality.
d. Marriage Laws and Divorce in Relation to Health.
e. Poverty and Sanitation in Cities.

3. *General and Specific Diseases.*

a. The Nature and Origin of Disease.
b. Recent Theories of Germs, of Bacteria, of Contagion, etc.

c. Relationship of one Disease to Another.
d. Small-Pox as a Typical Disease — its Past and its Future.
e. Insanity and its Causes.
f. The Diseases of Degeneracy and Vice.

4. *Sanitary Necessities.*

a. Ventilation of Structures, and Aeration of Soils and Waters.
b. Varying Climatic Needs.
c. House-Building and House-Warming.
d. Drainage and Water-Supply.
e. Sunlight, Rain and Wind.
f. The Removal of Offensive Substances; Burial and Cremation.
g. Hospitals and Dispensaries.

5. *Relation of the Medical Profession to the Public.*

a. The Learned Professions all exist for the Public Good.
b. Peculiar Relations between Physicians and Families.
c. The Attitude of Physicians, as a Class, to the State and to Individuals.
d. Anomalous Position of Physicians in respect to Diseases of Vice.

(This also can be extended indefinitely for Medical Schools.)

III.

FINANCE AND POLITICAL ECONOMY.

1. *Relation of the State to Economic Questions.*

a. The Doctrine of Laissez-Faire, and its Consequences.
b. The Right of Taxation, and the corresponding Duty of Government.
c. Questions of Currency and Coinage.
d. The Regulation of Useful Trade and Commerce.
e. The Suppression or Licensing of Hurtful Trades.
f. The Collection of Revenue Practically Considered.
g. Expenditure by the State, its Limits and Methods.
h. Appointments, Salaries, and Pensions.

2. *National, State, and Local Debt.*

a. Origin and History of National Debts.
b. Their Effect on War and Peace.
c. Borrowing Power of a People.

d. The Localization of Public Debt; its Payment or Repudiation.
e. Debt as a Basis for Currency and Banking.
f. Public Property and its Disposal.
g. Recent Socialistic Theories. State Socialism.

3. *The Right of Property, Individual and Corporate.*

a. Foundation and Uses of Individual Property.
b. Communism, Historically Considered.
c. Corporate Property a form of Communism.
d. The State as a great Corporation.
e. The Perpetuation of Individual and Corporate Property.
f. Land Tenure and Privilege.
g. Ownership of Land and Home as a Social Anchor.

4. *Labor and Wages.*

a. The Malthusian Doctrine of Production and Population.
b. Over-Production and Under-Population, the Rule, not the Exception.
c. The Wage-Fund Theory.
d. The Coöperation of Capital and Labor.
e. State Regulation of Income and Profits.
f. The Hours of Labor, and Restrictions on Employment.
g. No Conflict between Capital and Labor, but between Employer and Employed.

5. *Railroads and Machinery in Relation to Labor.*

a. Production and Distribution.
b. Producing Machinery must be accompanied by Distributing Machinery.
c. The Railroad the greatest Distributing Machine of Man's Invention.
d. The Steamship Accessory to the Railroad.
e. The Mobilization of Labor.
f. Pauperism regarded as a Congestion of Labor.
g. The Value and Reward of Organizers of Labor.

6. *The Problems of Pauperism Economically Considered.*

a. Natural and Artificial Pauperism.
b. Excessive Pauperism an Artificial Product.

c. The Circulation of Labor a Remedy for the Congestion of Labor.
d. The Banquet of Life a Collation, or an Exclusive Feast?

7. *Banking, Landlords, Rent, and Interest.*

a. Shepherds the first Bankers, then Slave-Masters, then Landlords.
b. Usury and Rent Interchangeable Terms.
c. The Landlord a Lender, the Tenant a Borrower. English Theory of Rent.
d. Modern Banking and its Problems.
e. The State as Landlord and Banker.
f. The Relation of Currency to Banking.

8. *Value, Exchange, Money.*

a. The Metaphysics of Value.
b. Social Life an Infinity of Exchanges.
c. Money the Medium of Exchange.
d. The Value of Money.
e. Credit the Child and the Father of Value.
f. Stocks, Debentures, and other apparatus of Value.
g. The Puzzle of Monometallism and Paper Money.

(And so on *ad infinitum.*)

IV.

SOCIAL AND DOMESTIC ECONOMY.

1. *Two Aspects of Economic Questions—one looking towards Wealth, the other towards Welfare.*

a. Welfare is the Moral Aspect of Wealth.
b. Social Prosperity and Sordid Wealth.
c. Social Economy reconciles Wealth and Want.
d. All Wealth Comparative; Sordid Wealth Self-Destructive.
e. Is Free Expenditure by the Rich desirable or otherwise?
f. The Golden Rule as an Economic Maxim.
g. The Social Whole is greater than the Sum of all its Parts.
h. The Ethics of the Modern Industrial Corporation.

2. *Civilization and the Social Whole.*

a. Religion unites Individuals; Civilization unites Communities.
b. The Individual exists by the Community.
c. Civil Life Contrasted with Social Life.
d. What Classes and Social Distinctions are natural and proper?
e. War as an Integrator and Disintegrator of Society.
f. Industrial Civilization replaces War with Competition.
g. Democracy and Christianity the last results of Civilization.

3. *In Social Economy the Mass of the People are to be Considered.*

a. History and Biography a Record of Exceptions.
b. Exceptional Wealth and Aggregate Welfare.
c. The Housing and Clothing of the People.
d. The Savings of the People.
e. Employment and Amusement of the People.
f. Vice as an Employment or an Amusement.
g. Woman's Place in Social Economy.

4. *Financial Aspects of Social Economy.*

a. Labor and Leisure.
b. Wages, Savings-Banks, Benefit Societies, &c.
c. Life and Accident Insurance.
d. Migration and Immigration as affecting Labor.
e. The Labor of Women and Children.
f. Trades Unions Socially Considered.

5. *Art in Education and Amusement.*

a. The Necessity for Recreation.
b. Popular Amusements Economically Considered.
c. Art as a Bread-Winner.
d. Museums, Theatres, Picture Galleries, and Concert Rooms.
e. Music and Dancing.
f. Parks, Water-Parks, and Ice-Amusements.

6. *Domestic Economy.*

a. The House as a Workshop.
b. Coöperation in Housekeeping.
c. Economy in the Choice and Preparation of Food.
d. Education and Apprenticeship of Children.
e. Socialism as affecting the Family.

7. *Holidays and Observances.*

a. The Place of Religion in Social Economy.
b. Sabbaths and Sundays.
c. National Festivals.
d. Preachers and Public Orators, Actors, Singers, &c., in Social Life.
e. Coöperation of all Classes in Religious and Social Life.

V.

DEPARTMENT OF JURISPRUDENCE.

1. *Law in Ancient and in Modern Times.*

a. The Ultimate Sanctions of Law.
b. Historical Development of Laws and Governments.
c. Law in Popular Governments.
d. The Stable and the Changeable Portions of Law.
e. The Modern Legislature.
f. The Modern Court with its Jury.

2. *The Penal Law.*

a. Crime Defined;—Punishment.
b. Methods and Places of Punishment.
c. Prison Discipline.
d. Reformation as an Object of Legal Enactment.
e. Pardons and Conditional Remissions.
f. Appointment of Judges and Prosecuting Officers, Prison Wardens, &c.

3. *Legislation and Vice.*

a. The Temperance Question from the Legal Standpoint.
b. Prohibition and License.
c. The Regulation of Vice by Government.
d. Police Problems.
e. The Revenues of Indulgence as State Property.

4. *The Amendment of Laws.*

a. Constitutions, Written and Unwritten.
b. Statutes and Local Ordinances.
c. Decrees and Summary Orders of Courts, Governors and Generals.

d. Law-Amendment changes the Ukase into an Ordinance, then a Statute, finally a Constitution.
e. The Amendment of Existing Laws and Constitutions.
f. Parliamentary Lawyers and Judicial Legislators.

5. *The Administration of Law.*

a. Courts and their Machinery.
b. Military, Ecclesiastical and Civil Administration.
c. The Daily Administration of Law — Official Persons.
d. The Enforcement and Penalties of Law — Appeals, Decisions, Execution.
e. The Extreme Penalty of the Law — Conquest and the Death-Penalty.
f. The Conflict of Laws in different States.

6. *Legal Education.*

a. Origin of Lawyers as a Class.
b. In Ancient and Mediæval Times, no special Advocates or Prosecutors.
c. The Government as Prosecutor.
d. The Lawyer a State Official, like the Priest.
e. Law-Schools and Bar-Examinations.
f. Law-Studies in General, and for all Professions.

7. *The Relation of Jurisprudence to Modern Civilization.*

a. Legal Aspects of the Family; Marriage and Divorce, Inheritance, &c.
b. Legal Aspects of Public Education.
c. Legal Aspects of Public Health.
d. Legal Aspects of Trade and Finance.
e. The Laws of War and Neutrality.
f. International Courts.
g. Formal and Ethical Law; The Golden Rule.

SOCIAL SCIENCE AND SOCIAL CONDITIONS.

[An Abstract of remarks made by W. T. HARRIS, Chairman of the Department of Education, September 8, 1885.)

The social conditions of the United States have changed rapidly during the present century, chiefly owing to the growth of cities and the consequent preponderance of urban population over rural population. According to the census of 1880, about twenty-five per cent. of the entire population lived in cities of 8,000 inhabitants and upwards. If we count the suburban populations so situated by railroad that they are in close contact with cities and form really parts of the cities, we shall find that the urban population forms nearly or quite fifty per cent. of the entire nation.

The most important characteristic of the social conditions of a modern city population, as contrasted with a rural population, is to be found in the means of instant intercommunication invented by man in order to secure for each individual a complete survey of the doings of his fellowmen in all parts of the earth. The morning newspaper, perfected by the telegraph and the early express train, gives to one-half of our people a survey of the entire world of man and nature every morning at the breakfast table. The consequences of this spiritual device are numerous and of essential importance. It makes life move on from day to day with an epic significance to each and all. Village gossip is replaced by world-gossip—the trivial incidents of neighborhood scandal—give way to colossal movements of world-history. The educative influence of this cannot be overestimated.

This is the one greatest humanitarian or humanistic influence of our time. It is the largest counteracting force in the presence of the vast utilitarian movement which threatens to engulf us in materialism and a grovelling pursuit of wealth.

The study of the function of the means of intercommunication, invented by a utilitarian age, is the best specific against pessimistic conclusions. The student of social science desiring to find tendencies in society which correct the evils of modern civilization, is to be cheered and strengthened by the discovery that the course of onward progress in subduing nature by invention does not lead away forever towards the gratification of man's physical appe-

tites and desires, but bends round towards the satisfaction of his higher nature. It is in the very constitution of man himself to place highest among the objects of his desire, the communion with his fellowmen. This participation of the individual in the life of his race is the most potent spiritual influence in human life. It is the essential principle of human history.

Man becomes ethical only as he becomes social, and each individual squares his life by the standard imposed by the conditions of social life.

The narrow limits of isolated and exclusive communities can be removed only by international communication. Cosmopolitanism is the product of the widest intercommunication of people.

Just here one sees that trade—whose immediate object is the gain of wealth—indirectly but more potently contributes to man's higher spiritual development through this cosmopolitan tendency. Commerce with the world renders necessary those higher ethical qualities of action—those based on divine charity—peace on earth and good will to all men—which to the abstract student of morals seem to be the most impractical and the least likely to commend themselves from a utilitarian point of view.

In this connection it is a matter of congratulation that the study of history—that is to say the study of human institutions—the study of the manifestation of the essence of human nature—receives just now a fresh impulse by the formation of a society devoted to the discussion of the methods of historic investigation and to a comparison of results.

Coiled up in human nature is this social instinct which unfolds into human institutions; these institutions are the colossal selves of humanity—the true vocation of man is the realization of these selves.

[The list of questions on pages 13–20 was purposely made full, in order to cover many topics, and the classification was mainly that of the five Departments of this Association. The Department of Education, however, for a special purpose, and in order to introduce another classification of topics, issued in June last, the following circular letter and schedule, the answers to which, since received, will be submitted at the Department meeting in Saratoga, September 7th, 1886.]

AMERICAN SOCIAL SCIENCE ASSOCITAION.

EDUCATION DEPARTMENT:

JUNE 20TH, 1886.

To C. W. Eliot, LL. D.,

President of Harvard College.

SIR,—The Department of Education of the American Social Science Association desires to collect information regarding the amount and scope of the instruction given in American Colleges on the subject of Social Science.

Knowing that your time is fully occupied, the Committee has prepared the accompanying schedule with a view to reduce to a minimum the labor of filling out returns.

It is necessary only to underscore such of the topics in the printed list as belong to your course of instruction, and to write opposite each the numeral indicating the year in your curriculum in which the subject is taken up.

The Committee would be happy to receive from you any suggestions as to what topics in the list may be profitably studied by college students.

The Committee would also ask you to name any books or pamphlets in which you have discussed the best method of meeting the new social issues by education or otherwise, and would be thankful for a copy of anything on these themes that you may have printed for distribution.

The department respectfully invites your attendance at the next meeting (Sept. 7th, 1886, at Saratoga), to assist in the discussion of the question of INSTRUCTION IN SOCIAL SCIENCE IN INSTITUTIONS OF HIGHER EDUCATION.

Respectfully,

EMILY TALBOT, *Secretary*,

66 Marlboro' St., Boston, Mass.

W. T. HARRIS, *Chairman*.

SCHEDULE TO BE FILLED OUT.

In the first column below, please underscore the topics in which instruction is given in your institution.

In the column at the right hand write opposite the topic the number indicating the year or years in which the topics underscored are taught—indicating Freshman year by 1; Sophomore year by 2, etc.

1.	Theory of property, real and personal, . .	
2.	Production and distribution of wealth, . . .	
3.	Theory of Government—National, State and Municipal, ...	
4.	Public and Private corporations, ...	
5.	Punishment and reform of criminals, . . .	
6.	Prevention of vice (intemperance, prostitution, vagrancy, etc.,)	
7.	Public and private charities (care of the poor, insane, blind, idiotic, deaf-mute, foundlings, orphans, etc.), ...	
8.	Sanitation of cities and of private dwellings (water supply, ventilation, drainage, epidemics, etc.),	
9.	Theory of public elementary education, . .	
10.	Higher education (as furnishing the directive power of society), ...	

.....*College.*

.....*President.*

To the American Social Science Association,
Education Department.

PAPERS OF THE SOCIAL ECONOMY DEPARTMENT.

I. THE UNNAMED THIRD PARTY.

BY H. L. WAYLAND, D. D., PHILADELPHIA.

I. To every covenant, written or oral, there are two parties. But there is also a Third Party, who is not named, who does not appear, yet without whose consent and co-operation the covenant is worthless. This Unnamed Third Party, I need not say, is the State, acting as trustee for the public welfare.

Of course, it is not to be supposed that the state is going to use its powers to enforce a contract harmful or criminal. If Benedict Arnold had been slow about carrying out his bargain, would Clinton have expected Washington to compel Arnold to come to time? The contract made immortal in "The Merchant of Venice," demanded the killing of a citizen, an act in violation of the public welfare. The ground put forth by Portia in the case is, of course, trivial; if it were a lawful act to cut a pound of flesh from next the heart, then the shedding of blood would be a necessary incident, and could not justly be objected to. But no one may agree to destroy, or to allow to be destroyed, his own life. I need not pause, in passing, to remind so intelligent an audience, that Shakespeare has reversed the facts of history, and that in truth it was a Christian (nominally) who exacted the hard condition, and it was a Jew of whom he sought the forfeiture.

If a tenant, under stress of relentless need, engages to pay a rent that he cannot possibly pay, the effort to pay which will make him and his family beggars, shall the contract be enforced, or shall it be revised in the interest of the public welfare? If, after all his frantic efforts to pay a rent which the soil will not earn, he finds himself oppressed with a debt which all his efforts will not satisfy, shall the State try to enforce the contract, and leave him crushed with a load from which he can never free himself; or shall it interpose in the interest of the public weal? These were the questions proposed to the greatest Englishman of our day; and he replied by the Irish Land Laws. Under these laws, if a tenant

was charged with a rent which he could not pay, he could summon his landlord into the land-court, which had the authority to fix the rent at a rate just to both parties. Also, where a tenant had fallen hopelessly behind, the landlord was compelled to throw off one-third of the arrears, the State provided one-third, and the tenant was to make up the other third.

All this was a sacrilege in the eyes of those with whom land is a religion. But it seems to me that nothing in the long and beneficent life of the "Grand Old Man" entitles him to such enduring honor as his brave recognition of the fact that there is something higher and more imperative than the sacredness of property, than the immobility of contract, than the inviolability of vested interests.

In a speech made forty-five years ago, Mr. Cobden said: "The middle and industrial classes of England have been cheated, robbed, and bamboozled upon the subject of taxation; the landholders, 150 [now nearly 200] years ago, deprived the Sovereign of his feudal rights over them; they made a bargain with the King to give four shillings in the pound upon their landed rentals, as a quit-charge for having dispensed with these rights of feudal service from them; afterward this landed aristocracy passed a law to make the valuation of their rentals final; . . . and then stopped the progress of the rent by a law (only so far as it affected *land-tax;* they never stopped raising rent to the tenant) making the valuation final; the land has gone on increasing, ten-fold in many parts of Scotland, and five-fold in many parts of England, while the land-tax remains the same as it was nearly 200 years ago."

Now, I have not the least doubt that if, or when, it is proposed to break up this iniquitous system, there will be a tearing of hair, a cry about the sacred rights of property, about the land and the church, about vested interests, as though when a wrong has existed 200 years, it became a right.

Is it not possible that we have made a fetich of the right of property, and have sacrificed to it all that man holds dear; have we not made property more sacred than human health, or human life, or human rights? It is not so very long ago that we shrunk from interfering with slavery, because it was a "vested interest." But could a right be founded upon a wrong? Was there not something more venerable than the alleged right of property?

And had the negroes no rights? But the day came when Abraham Lincoln recognized the fact that there is something more divine than paper constitutions,—the voice of the Unnamed Third Party.

In the city of Philadelphia, time out of mind, the mill-owners and the brewers and the residents have been pouring filth of every kind into the Schuylkill, to be drunk by the people. An effort has been made to stop the pollution. It was not denied that the law was express; but it was amazing to see what care, what delay, what tenderness was practised in forbidding the owners of property longer to make a sewer of the Schuylkill; every thing for the sacred right of property; but during every day granted to the vested interests, the people were drinking sewage.

Recently, an effort was made in Birmingham to limit the number of dram-shops and to introduce a new system which should prove a partial remedy or palliative for the evils of drunkenness. But it soon appeared that the vested rights of the dram-shops stood in the way; to buy them out demanded such a gigantic sum that the effort was abandoned. But had families no rights? Had mothers and wives no rights? Had the public no rights?

I need not remind you that it is proposed in England to raise the age of "legal protection" for girls from 13 to 16 or 18. A writer in the *Pall Mall Gazette* says:

> "Whatever may be done ultimately, I strongly depreeate a sudden rising of the age of protection at one bound from thirteen to eighteen. An advanee to sixteen would be quite as long a step as ean safely be taken at present; and, eonsidering the number of young girls who have already been launched upon an immoral life between the years of thirteen and sixteen, the proposal to destroy their present means of livelihood is quite as forcible an interferenee with *vested interests* as ean safely be contemplated.

In other words, prostitution is a vested interest.

II. But while we thus on the one hand discredit the Unnamed Third Party, yet we have so far recognized its existence as to justify it in pressing its claims.

The bankrupt laws are all based on the existence of the Unnamed Third Party. It is not for the welfare of the state that a debtor should for all time be pressed to the earth by claims which he cannot satisfy. So, in the public interest, the State invalidates his former contracts, and says to the creditor, "You cannot use our machinery for the enforcement of a contract which is injurious to the public."

In a former day, the State granted to a cemetery company the right for all time to bury in certain premises; but the premises have come to be in the center of the city; the public welfare requires that the so-called perpetual charter be abrogated; of course, with adequate compensation, if injury appear.

When it was found, as in England and more recently, in Mexico, that the Catholic Church had become, under the leverage of her spiritual forces, possessed of a third or a half of the land, the State, acting for the public good, took possession of the land.

Recently, the States of Europe, finding that the little principality of Monaco was the scene of limitless robbery, have been gradually arriving at the conclusion that no State is justified in maintaining a nuisance in the midst of Europe: and we may live to see them proceed to the logical result.

When the owner of mountain tracts, desirous only of present gain, persists in cutting down the forests, the State says, "No; you must not so use your property as to dry up the springs of the rivers. No matter if you have contracted to send down the stream so many million logs; the Unnamed Third Party has not given his consent."

It is on this ground that we rest the Sunday laws and laws relating to polygamy and divorce.

III. Suffer me now to *apply* briefly the principle which has been so imperfectly and inadequately stated and illustrated.

Suppose the legislature years ago granted to some person or corporation, a monopoly of the right to transport freight and passengers; suppose that this monopoly has become intolerably burdensome and prejudicial; shall not the State break the monopoly? How far may a legislature mortgage the prosperity of coming generations?

Suppose that a monopoly has become established, not by direct action of the legislature, but by the power inherent in vast capital; shall the monopoly remain always intact?

The same principle applies to temporary monopolies or corners. When speculators had gained control of all the salt in Bengal, and were holding it at a starvation price, the government said, "If this continues, we shall throw all our stores of salt on the market;" and so, wisely and bravely, the government broke the cruel corner. More recently, certain capitalists in Liverpool gained control of all the cotton in the market, and put the price up. Presently, all the

mills in Lancashire were compelled to stop, and the 3,000,000 inhabitants of the county were reduced to great suffering, all in order that a few operators might make each a million pounds. Was there not a place here for the Unnamed Third Party to assert itself?

The Marquis of Bute owns all the land in and about Cardiff. No one can live in Cardiff without his consent. He is a member of the Catholic Church, and he refuses to sell or lease a site for a Protestant chapel. Ought this to be? Is not property a trust?

Does not a similar principle apply to grants made by the State without adequate consideration? Many of our pensions were obtained by fraud. Ought they not to be at once vacated, on the fraud being proved? The Duke of Richmond is receiving from the British Treasury £19,000 a year, because of the relation in which his ancestress, Louise Querouaille, stood to the Merrie Monarch, Charles II. This sum has been paid for something over 200 years; $20,000,000 in all. Must this payment be continued to all coming time?

A careful and bold attention is demanded in the matter of endowments and funds, bequeathed for various uses and on various conditions. Grant the right of men while living to use their money as they will (and I grant this to save argument just here), can any one assert that a man has a right to dictate what shall be done with his possessions through all time?

A man in England left an estate, the income of which was to buy fagots for burning heretics; must all coming generations use the income thus? Suppose a man left a fund for the perpetual support of a hospital where a certain method of treatment should be pursued, and suppose that time has showed that the treatment is useless or pernicious? Suppose he provided for the teaching of a certain system of philosophy, which has long since been proved to be absurd. Suppose he left money to be annually dispensed in charity in an irrational manner, as in the case of one testator, who provided for a shilling being paid annually at Easter to a certain number of very aged women who should pick up the coin with their mouths from off the grave of the testator. Suppose, as is the fact, that the dole provided by the will promotes pauperism.

After the death of the testator, the income of his property and its increase, is due to the labor of the present generation. Shall, then, this generation have no voice in its disposal? The hand that gathered the property is cold; the brain and the heart that might

have guided the hand are dead. Shall, then, this dead hand continue to hold relentlessly, to the injury of the public, the property that was gathered centuries ago? Shall we not say, "We will use this property as he would probably use it, if he were living now, and felt and saw and judged with our light?"

The acquisition of large tracts of land in the old world and in the new comes in as a matter on which the Unnamed Third Party may, *must*, have a word. The area of Scotland is about 19,000,000 acres, of which one man owns 1,300,000 acres; seventy persons own one-half of the land; and 1,700 persons own nine-tenths of it. Is this for the public welfare? Or ought the Unnamed Third Party to come in? Shall the State sustain by all its machinery, a landlord in Scotland, while he turns adrift hundreds of tenants whose fathers fought under Bruce, in order that he may make a vast sheep walk or deer park? Shall rich men hold in Dakota and California, tracts of 100,000 or 200,000 acres, against which the tide of immigration surges in vain? Shall the non-resident continue to hold great estates, and be enriched by the labor of the neighboring settlers, while he contributes nothing, but rather is a hindrance? It is stated, on apparently good authority, that a hundred and fifty million acres of land are fraudulently held in America by individuals and corborations, under patents obtained by perjury and other iniquitous means. Shall not the State reclaim these stolen goods?

I do not join in any indiscriminate cry against gigantic corporations; I do not see how gigantic works can be executed without the resources of many persons combined into a gigantic corporation. But I do affirm that we may pay too high a price for the execution of gigantic works, for material advancement; and it should never be forgotten that these corporations exist for the public, not the public for the corporations.

Shall the sacred cry of property and of vested rights be raised only in behalf of the *large* property holder, and never in behalf of the small holder, or the man who owns only his own muscles?

IV. In what I have said, I have only raised inquiries, I have asked questions, I have occupied the only point which becomes me in presence of such an audience, the interrogation point. If, however, what has been said seems to look toward a suggestion of any new element in our social economy, I can imagine many objections arising. We shall be told of the celebrated Dartmouth College

case. But in that case, for one thing, the State had given to the corporation nothing; it had only made express and articulate the natural right of citizens to combine, and to do as a united body what each of them had a right to do severally. The State had given them neither money nor land. No monopoly had been granted them. Again, no misconduct was pleaded, nor any ground for forfeiture. If the corporation had been granted the monopoly of educating the young men of New Hampshire, if it had been shown that the corporation was failing of carrying out its professed objects, or was acting in violation of the public welfare, the case would have been greatly changed.

If Mr. Webster meant to affirm that the State may never modify a charter which it has once granted, then it seems to me that this would not be the only deliverance of Mr. Webster which is subject to revisal at the bar of posterity; and I am informed by legal friends toat the recent New Orleans Slaughter House decision by tho U. S. Supreme Court practically reverses the Dartmouth College decision.

If it should be said that we are in danger of interfering with the axioms of society,—with that, for example, which declares that a man has a right to acquire all that he can, and to hold all that he has acquired, and to use as he will all that he holds, then I suggest that these axioms, like all axioms in practical life, require to be taken with a great deal of modification and limitation. The axioms as to property, theoretically true as to man as a single human being, are greatly modified by his entrance into society. The Unnamed Third Party asserts his right to take from the citizen a portion of his property in the form of a tax, and in time of war to seize whatever is needed, and even to demand the life of the citizen for the defence of the State. The only plea for all this is the public safety. And does not the same plea hold good whenever any contract or alleged "vested right" menaces the public good?

Of course, adequate compensation is to be awarded; justice is not spoliation; but adequate compensation is based on the legitimate use of the property in question. And what *adequate* compensation is, is a question demanding most careful consideration; if the State should take possession of the Western Union Line of Telegraph, must the State pay $80,000,000 for $60,000,000 of water, and $20,000,000 of plant! Excessive compensation, as in the case of the enormous payment made in the disestablished Church of Ireland, is in reality spoliation of the Nation.

Where a pension has been enjoyed for years or centuries which was based originally on fraud or shame, is there any compensation due from the State, when the grant ceases?

It is perhaps alleged that the course suggested would destroy the motive to accumulation. It would not destroy it among the masses; rather it would inspire them with a hope of having something. If it lessened the greed for excessive accumulation among the millionaires, small harm.

Would the line of policy suggested throw great power into the hands of the masses whose votes control a Democratic State? Then see that each citizen, each voter, has a stake in the public welfare, in maintaining the present state of things, in resisting communism and anarchy. The instant a man has a little lot of land, or a bond, or a deposit in the Postal Savings Bank, he becomes in the best sense a conservative. The men who are absorbing all, the men who have sucked up the earnings and the savings of millions, these are they who are fostering anarchy and communism.

A State in which the few have an interest in the present distribution of property, is a pyramid resting on its apex; a State where the million have an interest in the present distribution, is a pyramid resting on its base.

It may be said that an assertion of the rights of the third party would often work injustice to innocent holders of property or franchises. Of course, this is a point that needs to be guarded. But still it must be remembered that a purchaser can only buy what the seller possesses. If A. sells to B. C's farm, or if D. sells to E. the sun and moon, why, the buyer can hardly expect the delivery of the premises.

In this imperfect presentation of what seems to me an important subject, I have not sought to learn what the law is; it has seemed to me that not what *is*, but what ought to be, is the proper goal of the enquiries of Social Science.

I cannot better close these imperfect remarks than by a sentence from Cicero, for which I am indebted to my friend and former teacher, Prof. John L. Lincoln of Brown University: "Those things are done according to the auspices, which are for the public good; those things are done contrary to the auspices, which are opposed to the public good."

II. SOCIALISM AND STATE ACTION.

BY EDWARD W. BEMIS, PH. D.

(Read September 11, 1885.)

When every one who wishes to change existing social and industrial conditions, whether as the advocate of state supervision of railroads and telegraphs or the fierce propagandist of revolution, is called a socialist, it may seem difficult to define part of the subject of this paper. "The relation of the individual to the community, is the unsettled question of political economy.* Shall we call every one a socialist who would magnify the power of the State beyond that of enforcing justice? Then the protectionist, who invokes governmental interference with individual action, for what is claimed to be the public good, is a socialist. So is the prohibitionist, who likewise appeals to State action. Shall we call him a socialist who wishes to introduce more justice and equality in the distribution of wealth? Then must every social reform be thus designated. The socialism of to-day, as distinct from that of Fourier and Robert Owen of fifty years ago, is more than this. Even if we add, with Laveleye,† that this improvement of society is to be realized "by the action of the law or the State," it appears as if our definition was still too vague and general.

If we accept Marx, Hyndman and Gronlund as true interpreters of our theme—and who denies them that distinction?—the concentration of all means of production in the hands of the State must be considered the essential feature of modern socialism. We may, then, define socialism as the attempt to introduce greater equality and justice into social conditions through State ownership of the means of production.

"Socialism," says Schul, the German economist, "is the philosophy of political economy of the suffering classes." There would be no socialism if all were in as comfortable circumstances as most of those that may read this. To understand this question, we must endeavor to place ourselves for the time in the position of the wage earners of our large factories. Unless we do this we

*Article on Political Economy in Encyclopedia Britannica, by J. K. Ingram.
†Socialism of To-day, by Emile de Laveleye, p. 15.

can never appreciate the labor question and the proposed solution of it, termed socialism. "Of all stupidities," writes Herbert Spencer,* "there are few greater, and yet few in which we more doggedly persist, than this of estimating other men's conduct by the standard of our own feelings . . . . We cannot understand another's character [or his social theories] except by abandoning our own identity and realizing to ourselves his frame of mind, his want of knowledge, his hardships, temptations and discouragements."

"The poor ye have always with you," said Christ, but the depth of this poverty and its hopelessness are realized by few save the sufferers. After an extended tour among the islands of the South Pacific, Mr. Huxley, the English scientist, was forced to confess that the life of the wild cannibals there was preferable to that of scores of thousands in London. The majority of our workingmen are better off than a generation ago, as the statistics of Robert Giffen prove, but there is nothing in his figures to show that the lowest class of workingmen have risen much above a purely animal existence, which is a reproach to our civilization, however difficult may be the problem of its elevation. "It may well be the case," says Prof. Thorold Rogers,† "and there is every reason to fear it is the case, that there is collected a population in our great towns, which equals in amount the whole of those who lived in England six centuries ago, whose condition is more destitute, whose homes are more squalid, whose means are more uncertain, whose prospects are more hopeless than those of the peasant serfs of the Middle Ages or the meanest drudges of the medieval cities."

The testimony of the great metaphysician Lotze‡ is equally striking. "It is only in the South, with its mild climate, that there still remains any charm about the life of the majority; the vast and needy masses of the civilized nations of the North pass their existence even now in such dwellings and under such conditions, as to clothing and household furniture, as must be hardly less repulsive than the hovels in which, thousands of years ago, oppressed Asiatics hid themselves away from their tyrants." In this country, until lately, we have not had such a destitute class, and have fancied ourselves forever free; but with the rapid ap-

*Social Statics, part 3, chap. 20, § 6.
†Work and Wages, p. 186.
‡Microcosmus, Eng. translation, p. 387.

propriation of our free farming land, now almost exhausted, an outlet for labor which has done much to keep up wages—and with the extraordinary increase of our population through birth and immigration, the time is coming when this terribly competitive age will press harder and harder upon the weaker portion of those struggling for existence, until the prayer, "Give us this day our daily bread," will rise with a fearfully literal meaning from the lips of millions.

After due investigation and after finding the average wages in Pennsylvania to be only seven dollars-and-a-half per week, the Commissioner of Industrial Statistics remarks* of the condition of labor there that "the present amount of wages annually paid does not give to the wage-worker comfortable means of support and enable him to lay by even a moderate fund to meet the necessary exigencies he is almost certain to encounter." Henry George, who, though disclaiming socialism, has done a vast deal to promote it, thus eloquently and truthfully writes:† "This association of poverty with progress is the great enigma of our times. It is the central fact from which spring industrial, social and political difficulties that perplex the world and with which statesmanship and philanthropy and education grapple in vain. From it came the clouds that overhang the future of the most progressive and self-reliant nations. It is a riddle which the Sphinx of Fate puts to our civilization and which not to answer is to be destroyed."

Many of our most intelligent public men think—as does one who has risen from the position of a day-laborer, handling pick-ax and shovel, to a professorship in one of our Western cities—that the laborer lingers in his present condition solely through his own vice and shiftlessness; and that he might, if he chose, raise himself as high as the professor. With equal pluck, energy, good habits and mental endowment, the laborer might do so; but our professional friend will not see that these qualities, which the workman is blamed for not using, are often not in his power to use. They are the results of inheritance and early surroundings, quite as much as power of sight or a talent of music. Moral, social and material improvement must go hand in hand. As the Rev. G. H. Gould, of Worcester, has recently said: "Christ never attempted to feed the souls of his hearers, until he had first

*Penn. Bureau of Industrial Statistics. Report for 1885, p. 5.
†Progress and Poverty, p. 9.

fed their bodies." In almost all the examples related of his talks with individuals, bodily healing came before spiritual.

Admitted that thousands of laborers have raised themselves to the position of capitalists, and millionaires and that, in a less degree, the opportunity is still open. The problem before us is, how to elevate the entire class of wage-earners, not single individuals among them. By force of circumstances the majority of the world must remain in the class of wage-earners. Must they, in consequence, remain without hope of a larger, more equitable share in the blessings of advancing civilization? What wonder that any system of reform, however crude, which confidently claims to abolish poverty, secure remunerative employment to all advance in civilization and realize that noble ideal—benefit in proportion to merit, reward in proportion to desert—what wonder that such a plan of social transformation should be gladly, aye recklessly, welcomed by the discontented and the suffering? Says Frederic Harrison *: "A social question there is, and not all the policemen and soldiers in Europe will suffice to prevent that social question from making itself felt."

In approaching the study of this question we must first disabuse our minds of certain erroneous impressions which, despite repeated denials, rise, like Banquo's ghost, to distract our minds. It is believed by many that the socialists wish all property to be equally divided. Not a prominent socialist ever advocated such an absurdity. It is proposed that the State should take charge of production, leaving to every one ownership in his income, which he is to receive in proportion to his service as the servant of the State. Neither are the leaders ignorant, uncultivated men. Karl Marx was regarded by Prof. Lange as one of the ablest political economists. Another authority pronounces him "one of the sharpest thinkers and ablest dialecticians ever possessed by economic science." Almost as much could be said of Rodbertus. Lassalle won the heart of the daughter of a Prussian minister of state. Marx married the daughter of another. Rodbertus was himself a minister of state.

Nor is it true, as many suppose, that socialism is necessarily opposed to Christianity, although many of our would-be reformers are drifting toward infidelity, impelled thereto in many cases, we

*Quoted in New Englander by J.W. Bell, Sept., 1885.

fear, by the unsympathetic worldly spirit of some of our churches.* Christianity is opposite, but not antagonistic, to socialism. The former seeks to elevate humanity by raising the individual; the latter by improving his environment. Both methods have their place. We persuade men to sign the pledge; we also legislate against the sale of liquor. In its ideal, its interest in humanity, and its demand for self-sacrifice, although surely not in the motives of its exercise, socialism, in its best form, somewhat resembles Christianity. Its leaders, are, therefore, entitled to our respect and sympathy, although their plans for the millennium seem but castles in the air.

Socialism, it has been well said, is composed of two facts and a theory. One fact—that of the great suffering and inequality in the world—we have referred to. The other fact is still more important. This inequality is increasing. The contrasts of poor and rich are constantly growing greater. It is also charged that wage-earners, though enjoying more comforts than ever before, do not receive a proportionate share of the benefits of machinery, that the improvement in their condition does not keep pace with the progress of society. The rich are said to be gaining in wealth faster than the poor. Is this charge true? Do the wage-earners receive a less and less proportionate share of the net returns of industry?

On the one side we have the statistics of Mr. Robert Giffen, that the absolute rewards of labor are greater now than fifty years ago, and similar results have been reached by Col. Wright in Massachusetts. On the other hand, the working classes were in so low a state of poverty at the time taken for the beginning of the comparison that it could not be endured much longer. Then, too, an exceptional cause for higher wages began to operate about 1830—immigration to the free land in America and the British colonies. The effect of this on wages is much underestimated. Ten million immigrants reached our shores between 1790 and 1880,—over seven millions since 1850. Now that this stimulus to high wages is shortly to become a thing of the past, will wages continue to rise? Thorold Rogers, the greatest authority on English wages from 1300 to 1800, asserts that, beginning about 1500 wages in England steadily declined for three centuries. The so-called law of progress of the working classes is, to say the least, not proven.

*See article by Dr. R. T. Ely, in Andover Review for February, 1886.

The socialist, however, will concede that, thanks to our free land, trades unions and other causes, wages are increasing absolutely; but they contend that the working men are receiving a constantly decreasing share of the product even now, while the share of the product going to capital is increasing both absolutely and relatively. The decline in the rate of interest which Edward Atkinson,* following Bastiat, relies on for disproof, does not necessarily furnish it. If, as is true of most industries, more capital is now employed in the way of costly plant than formerly, then a lower rate of interest is not inconsistent with a greater relative as well as absolute share of the product going to the capitalist. For example, five per cent. on $20,000 fixed capital, which must be repaid from the product, is a greater share of it than seven per cent on $10,000. Prof. J. Schoenhof † states that, in 1669, in the woolen industry of France, which employed 60,000 workmen, labor was paid 60 per cent. of the product; in 1812, 43 per cent; in 1872, 25 per cent. Prof. Cairnes ‡ has said, "The conclusion to which I am brought is this: that unequal as is the distribution of wealth already in this country [England], the tendency of industrial progress, on the supposition that the present separation between individual classes is maintained, is toward an inequality greater still."

Our statistics do not go back far enough and are not sufficiently reliable to decide this important question. I have worked out from the United States Census of 1880, the following percentages of the net product, meaning thereby the increased value of the product over that of the raw material, which has gone to labor in the entire country and in the three leading manufacturing States.

	1850.	1860.	1870.	1880.
United States,	51 per cent.	44 per cent.	44.4 per cent.	48 per cent.
New York,	47.7 "	39.9 "	42.7 "	47.5 "
Pennsylvania,	54.8 "	44.1 "	44. "	47.9 "
Massachusetts,	58.3 "	47.2 "	54.4 "	52.5 "

How much dependence can be placed on this table is uncertain. Statistics given by W. G. Mulhall § show how rent seriously

*The Distribution of Products, pp. 70-71.
†The Industrial Situation, pp. 116-117.
‡Leading Principles of Political Economy, p. 340.
§Contemporary Review, vol. 45, p. 233.

handicaps the poor as compared with the rich. The percentage which rent is found to bear to income is:

	France.	Gt. Britain.	Germany.	Average.
Rich,	15 per cent.	10 per cent.	10 per cent.	12 per cent.
Middle class,	23 "	20 "	18 "	20 "
Poor,	30 "	25 "	23 "	26 "

Rent in London during the fifty years, 1831–81, increased 107 per cent. per house, and 130 per cent. per inhabitant. Thus in this important respect at least is it true, "From him that hath not shall be taken even that which he hath." We now begin to see the causes of the prevailing discontent which lies at the basis of socialism. Unknown possibilities are naturally preferred to present and severely felt evils. We have pauperism in the midst of plenty; 67,415 persons were wholly or partially supported at public expense in Massachusetts in 1885, or one in seventy-nine of the population. A similar proportion holds in many other States. Civilization and civic freedom have excited men's desires without gratifying them. The counters, in times of depression, are stocked with goods, while men and women go wretchedly clad. Machinery lies idle, while men beg for work. It becomes increasingly difficult to pass from the ranks of the wage-earner to the privileged class of the employer. A wealthy iron-founder of Pennsylvania boasts that he started with a borrowed capital of $25, thirty years ago; but, when asked how much a man would need now to begin life with equal prospects of success, he answered: "Not less than $150,000." Such is the growth of industry. The concentration of wealth is astonishing. The number of hands in the cooper's trade in the United States increased eleven per cent. from 1870 to 1880: but the number of cooper's establishments decreased twenty-two per cent. The number of cotton mills has also diminished since 1850; but the number of hands employed has doubled and the capital has trebled. In this connection the following table, worked out from the census returns, is interesting:

Date.	Average number of hands unemployed.	Average capital.
1850.	8	$4,300
1860.	9	7,000
1880.	10.7	11,000

Then with increase of wealth, comes the failure to sympathize

with the poor, which does much to engender class hatred and is the most galling of all. Carlyle says, "It is not to die, or even to die of hunger, that makes a man wretched; many men have died; all men must die. But it is to live miserable, we know not why; to work sore and yet gain nothing; to be heart-worn, weary, yet isolated, unrelated, girt in with a cold universal *laissez-faire*."

Finding the facts on which socialism is based, either confirmed or not disproved, let us turn to the theory. "Social movements," says Prof. J. B. Clark,* of Smith College, "have a doctrinal basis . . . It is not mere inequality that is likely to create tumults. The wild partisans of labor talk to the wage-workers not merely about sufferings, but about wrongs. Something is said to be unjustly withheld from them; there is a question of equity involved, and this requires an appeal to abstract principles." The theory that labor is the sole source of value and therefore the only rightful possessor of the entire product, is the *sine qua non*, the foundation of socialism. Insisted on again and again by Marx we may say that on it hangs the "law and the prophets," for, if labor produces all value, then whatever is withheld from the laborer by the capitalist, in the shape of profits, is robbery, and our present industrial system, resting on such an hypothesis, is radically unsound.

Is labor the sole source of wealth? I think not. Emile de Laveleye, in his socialism of to-day, has presented the most elaborate refutation that has yet appeared. His argument is substantially this. Labor is an essential element of value, but wherever natural or social monopoly intervenes, as it does in far more cases than has been supposed, value is determined by demand; and that in turn is nothing but the estimate by society of the utility of the object in question in satisfying desires as compared with other useful objects or utilities. A bushel of corn raised on the hillside and in the valley, in Ohio and in Dakota command the same price in New York, though not produced with equal labor. "In a day's hunting," says de Laveleye, "I kill a roebuck and you a hare. They are the product of equal efforts during the same period. Have they the same value? No! the roebuck will feed me five days, the hare for only one. The value of the former will then be five times greater than that of the latter."† This economist, also,

*New Englander, May, 1883.

†Socialism of to-day. Translation of G. H. Orpen, p. 35.

beautifully disposes of the familiar illustration usually relied on to prove that value may be independent of utility. Water, it is said, is of infinite utility but of no value. He would answer that here there is confusion of thought. Water in the abstract, all existing water considered as one substance, is of infinite utility but also of infinite value, as the price that would be paid for it in the Desert of Sahara proves; but a drop of water which is valueless, is also of no utility, since it can be replaced by another drop without the slightest inconvenience. "We may say, then," concludes our guide, "using words in their usual sense, that an article has so much the more value, the more useful it is,—whether as answering to an existing want or as dispensing with the expenditure of money or labor necessary to procure a similar article." Even the increased remuneration of skilled above unskilled labor seems not entirely due to the difference in the cost of acquiring the skill, but to differences in the demand for the products induced by estimates of their relative efficiency in satisfying wants.

If this reasoning, somewhat abstract, but necessary to a proper conception and criticism of socialism, is admitted, the carefully elaborated theory of Marx, of the essential injustice of profits, falls to the ground. Labor cannot justly claim the entire product if it does not create it. Where there is no monopoly, the value of articles or the estimate of their relative social utilities tends, indeed, toward their cost of production. But under the present form of individual ownership of capital, payment of interest for its use and allowance of profits to the manager, to secure good superintendence, is as legitimate and necessary a part of the cost of production as payment of wages to the laborer. Profits are not due, as Marx supposed, to the weakness of the laborer and the injustice of the capitalist, although unfortunately, the laborers' ignorance, helplessness and lack of organization have enabled employers to obtain a greater reward than they otherwise would.

Suppose that by some wonderful transformation or confiscation, society as a whole, through its government, should obtain all this capital. Then, undoubtedly, interest and profits might be eliminated, save a small sum set aside to increase the production of the next year, but even then the waste in poor management and diminished energy among the workmen would, without doubt, more than counter-balance the saving of interest and profits. The amount

by which wages could be raised even through the total suppression of profits is so grossly exaggerated that the following table, worked out from the last census, will be of interest. Following the method of computation which has been found in the Massachusetts and Illinois labor reports to be, in the average of computations, nearest the actual facts of business, I have reckoned interest on capital at six per cent. and allowed ten per cent. on the value of the product for the expense of conducting business, including rents, salaries, insurance, freight and every kind of outlay for running expenses. The following is the result for 1880:

Cost of raw material.	Estimated interest.	Estimated expenses.	Wages.
$3,396,823,549	$167,416,356.36	$536,957,919.10	$947,953,795
Total expenditure of employers.		**Total value of product.**	**Net profits.**
$5,049,148,619.46		$5,369,579,191	$320,427,571.54

It is thus seen that net profits added to wages would only raise the latter one-third, and interest and profits together are only one-half the amount of wages. As it is incredible, however, that government could conduct all business as economically as do individuals, not even this rise in wages could follow state production. Greater equality of income than now would be purchased by leveling the rich downward, rather than by leveling the poor upward. Even this, as depriving some of unjust gains might be considered by the socialist an improvement on the present. But is it not clear that, if everyone were obliged to depend wholly for income upon a bureaucracy of inconceivable power and despotism, a power, too, that would not be inclined to recognize fully the vast differences of ability between men, that far more injustice, favoritism and corruption would prevail than now? In our complicated modes of production where a thousand men are needed, in as many different operations, to complete a watch, it is utterly impossible to tell, with any accuracy, just what share of the product each workman, with skill, strength and industry different from his neighbor at the next machine, contributes to the product. Therefore any fair adjustment of wages otherwise than on the principle of competition seems impossible.

The theory of socialism is fallacious. Yet the ideal of its expounders is a noble one and accounts for much of the popularity of socialist writings. In the reorganized society the motto is to be: "From each one according to his abilities; to each one according

to his work." Even Mr. Spencer* declares this "abstractly just" though "no longer practicable." "The cause of labor," says Dr. R. Heber Newton,† "seems to these laborers, rightly or wrongly, the cause of humanity, the cause of civilization. To their eyes the worst evils which are found among all classes of society are bred by the existing social order. To it they attribute, not only the characteristic vices and crimes of poverty, but the characteristic vices and crimes of wealth. All these evils they expect to disappear, one after another, as the industrial system is changed. It is thus no less glorious a vision than that of a perfected humanity which allures them on in aspiration and endeavor. It is no wonder that such a vision calls forth the most ardent enthusiasm, the most entire self-abnegation."

An able socialist writer, in reply to Herbert Spencer's criticisms has said‡: "What socialists maintain is—not any such absurdity as the above [that all evil is removable; sickness and death are inevitable], but that a great deal of suffering *is* removable, and in particular that an immense deal of it results directly from defective social arrangements; and that this portion at least can be, and ought to be, removed. They are firmly convinced that material improvement without moral and intellectual elevation is a chimera, but they are equally convinced that the moral elevation of the lowest class without material improvement is impossible. They agree with Mr. Spencer in accepting the scientific accuracy of the maxim 'If any will not work neither shall he eat;' but they also believe that 'if any do not eat neither can he work;' and they object to the present system of distribution because on the one hand it gives plenty to eat to those who do not work at all, and on the other, leaves those who work the hardest the smallest possible means and opportunity of eating anything." Few socialists are so careful to emphasize the need of intellectual and moral as well as of material elevation. The tendency of modern philosophic thought to consider man's condition as the result of environment leads most social reformers to charge upon society blame which, in large degree, should be cast upon the individual.

Leaving now the rather uninteresting though important study of

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* Social Statics., Part II., chap. X., § 4.

† Today, Dec., 1885.

‡ Herbert Spencer on Socialism. A Reply, by Frank Fairman, p. 7.

the theoretical side of socialism, let us consider the practical way in which it is proposed to dispense with:

> "The good old rule, the simple plan,
> That they should take who have the power,
> And they should keep who can."

If the socialist programme will realize the noble ideal just referred to, one can afford to overlook the fallacy of the theory of the necessary injustice of profits and interest on which it is based. Government, national, state, municipal and township, as the case may be, is to own all the land and means of transportation and production and leave to each individual, as a salaried official of the State, full possession and control of his income, allowing him to spend it as he may choose, but not to employ it in production. Some go further and propose that the governmental machinery should be considerably changed. An executive council, chosen by the House of Representatives, is to take the place of the president and senate, and all laws are to be referred directly to the people for adoption as now, on petition of a small portion of the electors, in the republic of Switzerland.

The principle of direct decision by the people on all important questions is, probably, destined to meet with increasing favor. It is important, therefore, to notice that the *referendum* in Switzerland has worked directly contrary to the expectations of its authors. Whatever radicalism may be rampant before an election, the actual test proves that the majority of the people are intensely conservative. They refuse even to sanction the most needed changes. Says Sir Henry Maine*: "Since the commencement of the experiment in 1874, there have been vetoed, among other laws passed by the Federal Legislature, an Electoral Law (twice over), a Law on Currency, a Law creating a department of Education, a Law creating a department of Justice, a Law providing a salary for a Secretary of Legislation at Washington, and a Law permitting the *venue* to be changed to the Federal Court, when there is reason to suspect the fairness of a Cantonal tribunal. It is remarkable that, under a Cantonal Referendum, a Law establishing a progressive income tax was negatived." Yet he thinks this principle has a considerable future before it in democratically governed countries. The vetoes of such important measures by the

* Essays on Popular Government, p. 96.

Swiss do not necessarily establish, as Sir Henry Maine believes, the certain conservatism which would follow the adoption of the *referendum* in other countries. A more natural inference would be the inability of the mass of men to form intelligent opinions upon questions that do not come within the range of daily experience.

Before condemning the plan of State production it is well to notice that there may be no necessary injustice in some features of it. Says Wm. B. Weeden, a manufacturer of Providence, R. I., in the *Atlantic Monthly* for December, 1880: "The ax is not yours through the essence of labor, though you have made it with your own hands, instead of buying it in the market. The idea of the ax, its potentiality, which enables it to prevail over nature, does not belong to you. This is the result of long generations of development from the rudest stone tool to the elegant steel blade which rings through the pine woods of Maine. This belongs to society. Neither the laborer nor the capitalist owns that principle." There is also much truth in the remark of a prominent socialist, that "A man is entitled to the full proceeds of his labor against every other individual, but not against society. Society is not bound to reward a man either in proportion to his services, nor yet of his wants, but according to expediency; according to the behests of his own welfare. Man's work is not a *quid pro quo*, but a trust. The other construction would lead to the absurdity that no existing fortunes could give any idea of the monstrous accumulation of riches of the heirs of a Kepler or a Newton, or, still more, of a Robert Fulton, a Watt, or Morse, if these men could have obtained all the results of their inventions."

This much we may perhaps concede to the socialist and even the further point, which the history of the present century proves, that the tendency of modern civilization is toward an increase of the functions of government.* Criminal jurisprudence and postal affairs were once in private hands. Now many countries, notably Germany, Belgium and France, not only control light-houses, education and the telegraph, but even own, and operate railroads, mines and manufacturing industries. The moderate and more scientific socialist, without advocating sudden and violent revolution, claims that this tendency will continue, that our cities will not only furnish water, but gas, as already in Philadelphia, Wheeling and Richmond; then ice and bread and meat and so on,

*The tendency of the last half of the last century was, however, in the opposite direction.

until all productive industry comes gradually and naturally into the hands of the State. Such a plan would not, necessarily, they say, require the despoiling of the rich. The State (using State to include all political bodies) might buy the requisite plant, it is claimed, for twenty billion dollars, which, in view of the fact that the civil war cost the country more than one-third as much, may not seem impossible. As such an expense, however, would seriously militate against the success of the plan, its advocates, undoubtedly, are pleased at the thought that violent attempts at repression by the propertied class may justify forcible reprisal.

Scientific State socialism* recognizes our competitive system of industry as a necessary stage in a progress from private ownership of the person, or slavery, which alone could give the privileged few sufficient leisure to develop art, literature and all we call civilization, through the present form of private ownership of capital, or the instruments of production, to the future of private property only in income. The vast benefits of our present system are not denied. In no other way, it is admitted, could the improvements in production of the present century have been possible, but it is claimed that the problem of the creation of wealth having now been solved, it is both possible and wise to pass on to the next stage in the evolution of society where a more equitable distribution of the benefits of wealth and civilization may be attempted. In the minds of its greatest advocates exclusive State production is not to be a sudden thing, but is to be gradually adopted in more and more industries, until, perhaps, generations hence the happy consummation is reached. But unless human nature improves far more rapidly in the future than in the past, State management of production, save in exceptional cases, will surely entail more harm than good, and when human nature does become perfect there will be no need of State production. Gronlund, one of the most advanced of our American socialists, admits that "it is no wonder that people shudder at the thought of giving unlimited free control over all our social, political and industrial affairs to a lot of politicians of the sort that now sit in Washington and rule us." The log-rolling and corruption can be better imagined than described. It is sufficient to note what an intelligent American of considerable acquaintance with our

*Gronlund in Modern Socialism, p. 149.

institutions, Richard Grant White, has written of our present rulers with their very moderate control of industry." The very ruins of it [public probity] have disappeared. Our State legislatures, instead of being composed of men to whom their constituents look up, are now composed of men upon whom their constituents look down—not second-rate, nor even third-rate, but fourth and fifth-rate men, sordid in morals and vulgar in manners, who do politics as a business, for the mere purpose of filling their own pockets. No one thinks of disputing this more than the presence of the blood-sucking insects of summer. . . . Within the last fifteen years we have seen men occupying the highest positions in the government of the United States who were not only purchasable, but who had been purchased and at a very small price. I know what I say and mean it."*

One of the few serious attempts to meet these objections yet made is by Lawrence Gronlund, a former Minneapolis lawyer, in his crude but interesting book, recently published, entitled "Modern Socialism, or the Coöperative Commonwealth." He would change the entire existing political organization. All laws should be referred directly to the people for ratification as previously described. Every distinct trade should be a trades union. All the workmen in a factory should elect their foreman. The foreman of the different factories of the industry in one place should elect a district superintendent, and these, in turn, from all districts a bureau chief. These latter should control their trades and the general affairs of the nation, removing any one beneath them at pleasure and themselves removable on vote of their subordinates. An industrial, instead of political government, resembling the so-called collectivism of Europe, is proposed. In the vain attempt to unite decentralization and liberty with the entire control of industry by society, it is proposed to give every town and trade almost entire independence of every other. If the plan could be adopted, society would, to a considerable extent, be dissolved into its original units. The other extreme of despotism would be quickly welcomed. Indeed, most socialists admit that they are ready to sacrifice liberty to equality.

A more chimerical scheme than that of Gronlund's could not be devised. Any one familiar with the trades-unions is aware that there is as much log-rolling and electioneering for office among

*Quoted by Sir L. H. Griffin, in the Great Republic, pp. 144-5.

them as in politics. In coöperative associations, where each shareholder has contributed to the capital, the best men are often, not always, chosen to manage the business, but in State socialism the mass of men, who could contribute nothing except their labor, would not, probably, be so judicious. Objections to the system appear greater with every explanation. For example, no overproduction is to occur, for statisticians are to determine closely the requisite amount of each product. "In the socialistic State," writes Schäffle, "the functionaries who would have to do with sales would ascertain the amounts needed, would distribute the national work accordingly among the different classes of people doing business, and the persons concerned in production, transportation and storage would assign to the products a value according to the mass of socially necessary work spent upon them." Thus an army of clerks of doubtful efficiency and great cost is necessitated. If the industrial State is to fill the orders for goods, every one must pursue the trade ordered by the government and transfer himself whenever required to another industry. This suppression of individual choice among the many hundred kinds of business enumerated in our census is startling to contemplate. Fashions of dress must also be controlled by the State to avoid change of machinery and waste of clothing already made. In short, liberty and progress would, so far at at present appears, have to be sacrificed to equality.

M. Taine* quotes the Chinese code, which somewhat resembles the probable legislation of State Socialism: "Every district chief on the twelfth day of the first moon, assembles together the men of his district and reads to them the table of rules; he examines their virtue, their conduct, their progress in the right path, also in their knowledge and encourages them, he investigates their errors, their failings, and prevents them from doing evil; superintendents of marriages see that young people marry at the prescribed age . . . . At all grand hunts, at all gatherings of troops, he orders the application of gags. In these cases gags are put in the soldiers' mouths; they then fulfil their duties without tumult or shouting." We may well be cautious about endorsing such a plan of government. If it should ever come, it must, indeed, come slowly and naturally. All attempts to bring it by revolution can only lead to anarchy.

*Socialism as Government, Contemporary Rev., Oct., 1884.

Realizing that the people of this country are not yet prepared for entire State ownership of the means of production, the Socialistic Labor Party of the United States, numbering, it is estimated, 25,000, and fast gaining to its creed, if not membership, tens of thousands of our working classes, adopted at its Cincinnati meeting, October, 1885, the following platform. It will be noticed that a few of the demands merit speedy adoption. Others are of questionable expediency, and still others are wholly impracticable and unwise.

DEMANDS FOR THE AMELIORATION OF THE CONDITION OF THE WORKING PEOPLE UNDER THE PRESENT INDUSTRIAL SYSTEM OF SOCIETY.

The Socialistic Labor Party strives for a radical revision of the Constitution and Statutes of the United States, the States and Municipalities, according to the following demands:

a. Social Demands.

1. The United States shall take possession of the railroads, canals, telegraphs, telephones, and all other means of public transportation.

2. The municipalities to take possession of the local railroads, of ferries, and of the supply of light to streets and public places.

3. Public lands to be declared inalienable. They shall be leased according to fixed principles. Revocation of all grants of lands by the United States to corporations or individuals, the conditions of which have not been complied with or which are otherwise illegal.

4. The United States to have the exclusive right to issue money.

5. Congressional legislation providing for the scientific management of forests and waterways, and prohibiting the waste of the natural resources of the country.

6. The United States to have the right of expropriation of running patents, new inventions to be free to all, but inventors to be remunerated by national rewards.

7. Legal provision that the rent of dwellings shall not exceed a certain percentage of the value of the buildings as taxed by the municipality.

8. Inauguration of public works in times of economical depression.

9. Progressive income tax and tax on inheritances; but smaller incomes to be exempt.

10. Compulsory school education of all children under fourteen

years of age, instruction in all educational institutions to be gratuitous, and to be made accessible to all by public assistance, (furnishing meals, clothes, books, etc.) All instruction to be under the direction of the United States and to be organized on a uniform plan.

11. Repeal of all pauper, tramp, conspiracy and temperance laws. Unabridged right of combination.

12. Official statistics concerning the condition of labor. Prohibition of the employment of children in the school age and the employment of female labor in occupations detrimental to health or morality. Prohibition of the convict labor contract system.

13. All wages to be paid in cash money. Equalization by law of women's wages with those of men where equal service is performed.

14. Laws for the protection of life and limbs of working people, and an efficient employer's liability law.

15. Legal incorporation of trades-unions.

16. Reduction of the hours of labor in proportion to the progress of production; establishment by Act of Congress of a legal work-day of not more than eight hours for all industrial workers, and corresponding provisions of all agricultural laborers.

b. Political Demands.

1. Abolition of the Presidency, Vice-Presidency and Senate of the United States. An executive Board to be established, whose members are to be elected and may at any time be recalled by the House of Representatives legislative body. The States and Municipalities to adopt corresponding amendments of their constitution and statutes.

2. Municipal self-government.

3. Direct votes and secret ballots in all elections. Universal and equal right of suffrage without regard to color, creed or sex. Election days to be legal holidays. The principle of minority representation to be introduced.

4. The people to have the right to propose laws (initiative) and to vote upon all laws of importance (Referendum).

5. The members of legislative bodies to be responsible to and subject to recall by the constituency.

6. Uniform law throughout the United States. Administration of justice to be free of charge. Abolition of capital punishment.

7. Separation of all public affairs from religion; church property to be subject to taxation.

8. Uniform national marriage laws. Divorce to be granted upon mutual consent, and upon providing for the care of the children.

Resolution.

Whereas, the Socialistic Labor Party of the United States is so far chiefly a propagandistic party;

Whereas, it is a good means of agitation to participate in municipal, county, State and congress elections; therefore,

Resolved, That the Socialistic Labor Party utilizes this means, and leaves it to the option of the different sections to participate in the elections or not, but it urgently recommends to enter into political action only when there is really a prospect of success or at least an opportunity for agitation.

Sections participating in any election shall under no circumstances enter into any combination with any other party as against the Labor Party; all other parties are to be considered reactionary.

The strength of Socialism, we have seen, lies in its searching and, I believe, in the main, truthful exposure of the serious maladies of our present industrial organization. From it our ablest economists confess they have derived much valuable suggestion and criticism. Says Prof. Schönberg: "Socialism has obliged political economy to recognize that it is not merely the science of human egotism, but that it should formulate a system of moral administration for the interests of society." The weakness of Socialism lies in its reconstructive measures. These have been pointed out. Radical theories of paternal government have been imported from Europe, where governmental initiatives, sustained by an admirable civil service, has in many directions displaced individual initiative. In 1880, of the population of Cincinnati, 28 per cent. were of foreign birth; in Cleveland 37 per cent.; in Boston, 31 per cent.; in New York, 40 per cent.; in Chicago, 40 per cent. The German, fonder of speculation and less influenced by the contentment of religious faith than the Celt or the Englishman, is especially prone to socialistic thinking. But such thinking is growing among all classes of American workmen, as witness the demand of many thousand Knights of Labor for State ownership of all railroads and means of transportation.* The dangers and the possibilities of this movement have been so excellently expressed by Prof. Arthur T. Hadley, that I cannot forbear quoting the entire passage: †

"Legislation, in theory if not in fact, is controlled by majorities of voters. The political power depends upon numbers rather than upon wealth. In the

*Platform of "Knights of Labor."

†Report of the Conn. Bureau of Labor Statistics for 1885, pp. 42-3.

United States, more than anywhere else, political power has been separated from property ownership. Two forces which have usually worked together have a chance to work in opposite directions. That they have not thus acted in the past is due to two things. First, a majority of those who had little or no property expected soon to get some; and, secondly, the organizing power, which even in political contests counts for a great deal more than mere numbers, has been on the side of the property holders. Both these things are changing. The separation in classes is becoming more complete, and the organization of those without property is following. Instead of the American, who wants to rely on himself and be let alone, there is coming in an element of foreign labor that prefers to rely on others; does not specially care to be let alone, and greatly enjoys regulating somebody else. The line of thinking which makes anarchists of a few, make socialists of a vastly greater number.

"What will be the result of this, it is impossible to foresee. To do without competition is out of the question. The experiment has been tried over and over again, in different countries and times, and has failed disastrously. A man needs the stimulus of competition to bring out what is best in him. The moment he ceases to have that stimulus he generally ceases to be a man. Yet these undoubted facts must not bind us to another set of facts equally certain, if not equally undoubted. First, that free competition will not produce all the good results that some people expect of it. Second, that there is an organized reaction against it in favor of some form of socialism. Third, that the growth of this socialism is not likely to be stopped by a few socialistic measures, administered by the State itself. These are facts which we may not like, but which we cannot afford to ignore."

COMMUNISM.

Allied to State Socialism there is another radical school which may be called State Communism. It differs from the former chiefly in wishing the return to each one by the State to be, not according to his efficiency, but according to his needs. The watchword of this school is, "From each one according to his ability; to each one according to his needs." The principle is beautiful as seen in thousands of families where the children or the invalids are cared for according to their needs, without regard to their contribution to the family income. Some of our noblest public institutions, our schools, free public libraries, hospitals and asylums for the deaf, dumb and blind are communistic. Taxpayers contribute, or, at least are supposed to contribute to them according to their means and to receive advantage according to their needs. The benefits of the church, though contributions are voluntary, are supposed to be distributed on the same principle. A considerable extension of the communistic idea through State

and voluntary effort, to free art galleries, bath houses, and to a more generous support of the institutions just referred to, are to be expected and welcomed. But in the present state of human frailty the plan of extending the system to the entire business of the the community is utopian. By taking away all stimulus to individual exertion it would be the destruction of progress and the forerunner of a more absolute despotism than man has ever dreamed. An idea of what power the State would then be likely to assume may be gathered from the following suggestion of a disciple: "A few lazy people would not be noticed, but if their number should be so large at any time that it would be necessary that they should work or there would be a scarcity, then a lazy person would be an enemy to all. If public opinion would not stimulate him to work, the very situation would demand his removal, which would not be tardy."

This form of socialism may be quickly dismissed. All attempts to realize by State action the poet's beautiful imagining of the home of Evangeline, where "the richest was poor and the poorest lived in abundance," seem doomed to failure. A writer in the *Britannica** has well expressed the reason: "A golden age may yet return in which all shall be for country and no one for himself, and we may even imagine that each specific age shows its nearer approach. But, at least, it has as yet not come. In every community there are found a large number of individuals who will not work honestly, except under the compulsion of self-interest or of close superintendence. No socialistic scheme has yet been devised which copes with this tendency."

ANARCHY.

Thus far we have studied plans for social amelioration that at least have the merit of some scientific basis and able advocates. We must now turn to another phase of social discontent which is usually classed as socialism, but which differs from it as much as State production does from individual. I refer to the anarchists, the true Nihilists of society. They are so often considered socialists that it is necessary to make clear the distinction. Permeated with the doctrines of the socialists, respecting the faults of the existing social organism, the anarchist calls to the rescue, not

*Article on Land.

law and the State, but the abolition of all law and all control,—in other words, anarchy—which has been well defined by Mr. Hyndman, the leader of the English socialists, as "individualism run mad," and by Dr. Ely, as "the manifestation of an international devil." After all law books are burned and government officers banished, then every town, trade and individual are to unite and disunite with each other at pleasure. There will be need, it is admitted of voluntary coöperation and voluntary submission to authority, but no compulsion is to be tolerated. There is no need of argument to prove the folly of such a scheme. The result of an actual experiment of this kind is thus described by de Laveleye.* "Some years ago a president of New Grenada, firmly imbued with political economy in all its priority, announced that henceforth the State, restricted to its true functions, would leave everything to individual enterprise. In a short time roads were destroyed, harbors stopped with sand, public security utterly lost and education nowhere to be found. A return had been made to the barbarism and the life in the primitive forests."

What are the methods of the anarchist? Editorials in favor of assassination, and the destruction of the property and the lives of the rich in all possible ways, are scattered broadcast through the land. Speeches of the same character are often delivered to hundreds and even thousands of hungry and, therefore, discontented workmen. During the first ten months of 1885 there were distributed and sold by the International Working People's Association (the name of the anarchist's party), 387,527 books, pamphlets and circulars†.

It is, indeed, true, as some who have examined into the question remark, that many, perhaps a majority of those that preach these deeds of violence would fail in courage when the moment for action approached. The danger is rather that some time in a moment of frenzy, when a business revulsion or strike has thrown hundreds of thousands out of work, the more ignorant and discontented of our working classes, becoming gradually imbued with such doctrines and constantly taught that any means for removing their "oppressors" are justifiable, will precipitate riots worse than those of 1877 in Pittsburg. A keen observer, by no means an alarmist,

*Elements of Political Economy, p. 258.

†Report of the Librarian of the I. W. P. A. in Chicago Alarm.

whose opportunity for knowing whereof he speaks is unusually good, has recently remarked to the writer that, if the police of Pittsburg, Cleveland, Cincinnati or Chicago were to cease their vigilance for twenty-four hours there would be an uprising.

Some years ago Thackeray, then visiting this country, told a group of Americans who were boasting of our immunity from the social troubles of the Old World, "Gentlemen, you know nothing yet of the dangerous classes." That happy ignorance has been dispelled. Not many years ago Holyoke, in his "History of Co-operation in England,"* referring to the anarchists, wrote:

"No country could hope to produce more than one madman in a century, capable of devotion to this cheerless, unrequiting and self-murdering creed." Yet now, the Chicago *Alarm* publishes a list of eighty-seven "groups" in our large industrial centres. It is impossible to estimate the strength of these groups. Ten thousand adherents in the two States of Illinois and Missouri are claimed. By joining the trades unions in their labor troubles and strikes, the anarchist seeks to convert or excite the sympathy of these powerful orders.

What is to be done? Certainly the suppression of all these anarchist publications and addresses would only increase the danger, as the experience of Bismarck, under more favorable conditions for repression than exist here, has abundantly proved. Forbidden to print, to write, to speak, the socialists have increased their vote in Germany from 4,610 in 1866 to over 600,000 in 1884, and in Berlin, during the past ten years, from 11,279 to 68,910. Of course, open violence must be put down at once, and in preparation therefor, a well-organized police force and a few thousand regular troops, within easy reach of all our large cities, should be held ready for instant action. But revolutionary socialism and anarchy are so poor at reconstruction that they are sure to suffer at the hands of free discussion. The anarchist exposes the weakness of his cause when driven to explain exactly what he would substitute for the present regime. One of the most violent of the anarchist editors and speakers admitted recently in private conversation that he knew not what to substitute; to tear down was as far as his thoughts went. In this paucity of reconstructive ideas the friends of peace and order may find encouragement.

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*Vol. 1, p. 356.

We have noted some of the crying evils of our civilization. We have seen that Socialism, Communism and Anarchy, worthy of study for their terrible and often truthful exposure of industrial evils, have no practicable measures of relief to offer. Is there then no cure? "It is never from the desire to attack that the people rise," said Sully, "but from impatience under suffering." Is none of this suffering preventible? Must we drift with the tide, trusting to Providence to guide us safely through the impending storm? No! By our duty as citizens, by our responsibility as men and as Christians, I answer no! You may recall the remark of his lordship in Carlyle's Latter-Day Pamphlets, "Well, God mend all!" "Nay, Donald," cried the other, "we must help Him to mend it."

"Modern socialism, be it recollected," says a recent writer*, "is nothing more or less than a protest, expressed often in bitterness and anger, against the unfavorable social conditions in the lives of vast multitudes, which are the acknowledged blots on our modern civilization; and not only a protest against the existing social order, which has produced them, but also the expression of a settled purpose to alter or amend what is amiss, either by revolution or reform." Such reforms it behooves us to inaugurate. A proper treatment of the various agencies, such as trades unions, arbitration, profit sharing, and above all moral reforms, which are to be relied upon for effecting most of the needed changes, would fill a volume. The State, however, is so often called upon as the greatest remedial agent by one-half of society, while the other half considers it a necessary evil, that a brief consideration of the true sphere of State action in industrial questions is appropriate to a treatment of the socialistic theory which throws all action upon the State, and of anarchy, which is the negation of the State.

STATE ACTION.

It is quite possible that moderate State action, less, indeed, than demanded by the socialist, but greater than at present, may be found both practicable and advisable. The radical theories of universal State interference are, in some respects, a revolt from the extreme form of non-interference, or *laissez-faire* of fifty years ago; just as the sensuality of the Court of Charles II. represented

*M. Kaufman in Contemporary Review, June, 1885.

a reaction from the extreme austerity of the Puritan regime. Somewhere between these extremes must lie a golden mean. It is not true that unregulated competition will always and necessarily advance civilization. Strict factory laws, inspection of boilers and buildings and compulsory education have been found necessary. Indeed, in England, where the theory of non-interference has been most ably advocated, Mr. Gladstone obtained the passage of an act in the last Parliament, more directly interfering with the vested and property rights of Irish landlords than even Bismark, with all his socialistic leanings, would have dared attempt.

The remark of ex-President Andrew D. White, of Cornell, at the formation of the American Economic Association, at Saratoga,* is most significant. "*Laissez-faire* has broken down in Europe already, and unless something better is in order in this country, we might as well give up, and I say this as one who taught the contrary for some years." Equally noteworthy is the statement of Professor J. K. Ingram, in his admirable article in the Britannica on Political Economy. "The *laissez-faire* doctrine, too, has been discredited in theory and abandoned in practice; and we are ready to admit Sismondi's† view of the State as a power, not only entrusted with the maintenance of peace, but charged also with the mission of extending the benefits of the social union and of modern progress as widely as possible through all classes of the community." But we are at once confronted with the confident assertion that any State action beyond the administration of justice will only "benefit the many inferior at the expense of the few superior." Mr. Spencer also assures us that such a course, by causing the undue multiplication of the weak and poor, will promote the survival of the unfittest. Such a plausible objection by a writer and investigator of deserved reputation demand careful attention.

Is it true that the fittest will survive if undisturbed? Who are the fittest? If we mean the unscrupulous—and they appear to succeed best in acquiring vast wealth—certainly such survival is hardly what is wanted. Again, Mr. Spencer here neglects what elsewhere he has done much to establish, the tendency of the wretched and outcast to propagate much faster than the intellectual class.

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*September, 1885.

†Political Institutions, p. 663.

Then, by elevating the unfit through education and the stimulus thereby given to improve their condition, we diminish instead of increasing their propagation. Society is such an organic whole that few now deny that the best interests of each class attend upon the prosperity of all others. To the objection that, each class recognizing this, voluntary help and coöperation will effect all needed reforms, it is sufficient to refer to history, which shows that coercion has been found necessary.

A recent instance has been well stated in the suggestive book "Class Interests."* "What could the farmers of Kansas and Nebraska do by voluntary combination to get reasonable freight rates on corn from way stations to Chicago. What could the managers of the granger movement have done to discipline the lawless railroads if they had confined themselves to voluntary associations looking to this end? They would have been laughed to scorn. Why? Because they would have lacked the power of coercion. * * * It was when the grangers made themselves felt through the strong arm of the State that the railroad managers learned a lesson which they could learn in no other way." "Their mass," [the people] said Mr. Spencer, "is too great, too incongruous, too scattered for effective combination." The author of "Class Interests" rightly argues, "The people must learn to redress their own grievances, and for this purpose they must use some organization at hand with sufficient executive power to compel obedience. This is to be found in the State only." The same author calls attention to the case of the Washington monument, which nine out of ten would have voted to be taxed for, but, as experience proved, would not build by voluntary effort. The objection that the most deserving class, "the forgotten man," is taxed too heavily in aid of the undeserving, must be met by reforms in taxation, the introduction of the income tax and in other ways, so that the burden shall fall more fairly on all.†

That the State confers its benefits as a charity is the error at the bottom of much of the opposition to moderate State action. Through education of the right kind, through postal savings banks,

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*P. 113.

†See admirable Report of the Baltimore Tax Commission for 1885, and especially Dr. R. T. Ely's special report therein.

free public libraries and in other ways the local and national governments can do much to encourage self help. Those who are educated at State expense, to take an extreme case, at the German universities, are not said to be lacking afterwards in the spirit of individual endeavor. Because some applications of State power, like the sumptuary laws and those respecting trade in local markets and fairs, good, doubtless, in their day, became ill-suited to later and changed conditions, and were repealed, there is no reason for supposing that other applications of State power may not now be needed.

In the assumption that, as people become moral, government will cease, some overlook the growing necessity of law as a formulator of procedure and a definer of custom. For example, as banking grows more intricate and business relations become closer, there is a growing demand for decision by the official agents of society "between those conflicting claims, the equitable adjustment of which is not obvious to the persons concerned." * Government and individual power may both grow by extension into new fields. It must not be forgotten that a certain amount of State control is necessary to resist the evils which, along with much good, attend on industrial monopoly and centralization.

The object of the preceding argument has been, not to advocate universal State interference, as do the socialists, nor even to insist with Wagner that the growth of State power is so inevitable that it is idle to resist it, but merely to clear away those *a priori* theories of the suicidal folly of any State action whatever, beyond that of a sheriffalty, which are usually advanced in opposition to all plans for social reform. The true position seems best expressed by Jevons: "No laws, nor customs, nor rights of property are so sacred that they must not be made away with, if it can be clearly shown that they stand in the way of the greatest happiness, *salus populi*, *suprema lex*. But it ought to be evident that, before we venture upon a great leap in the dark, we may well ask for cogent evidence as to the character of the landing place."

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*Political Institutions, by Herbert Spencer, p. 608.

Space does not permit any extended consideration of practical measures, but it seems desirable to refer to the leading directions in which legislative activity will probably manifest itself in this country in the immediate future.

I. Education.

Said Danton, "If you suffer the poor to grow up as animals, they may chance to become wild beasts and rend you." Education may not directly prevent crime, but it may elevate industrially and train for citizenship. A. J. Mundella, M. P., a great manufacturer in the Sheffield district, England, employing from 3,000 to 4,000 men, has testified*: "My experience of workmen, on the average, is, that the better a man is educated, and the greater the intellectual resources he possesses, the less is he disposed to sensual indulgence, and the less is he inclined to any kind of intemperance and excess." Ignorance may not control legislation, but there is danger that ignorance as an ally of the unscrupulous demagogue may. Hence education for all becomes necessary. There is no need of arguing this in America. But there is great need of improving our present educational system. More industrial training, more study of the duties of citizenship are desirable. "The education that is necessary to social weal," it has been well said, "is the education of the unthrifty in self-help and of the selfishly wealthy in just conduct and Christian helpfulness." To this end scholars are encouraged in Europe to deposit their small savings with the teachers, who in turn place them, when above a certain small sum, in a bank secured by the government. The sums are placed to the credit of each pupil. In preventing foolish expenditure for confectionery and tobacco and, above all, in encouraging habits of thrift and saving, these school savings banks started by M. Laurent, in Belgium in 1866, have proved a success and are being introduced in some American schools. Those best acquainted with the working of the system abroad claim that, while promoting thrift, it does not develop miserliness as might seem possible. This, probably, depends on the teacher.

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*Circular of Information of the U. S. Bureau of Education, No. 2, p. 19.

The following table shows the wonderful growth of the system in France, Austria and Italy. Similar institutions exist in Belgium, Switzerland, Germany and other parts of Europe *:

Date.	No. of schools depositing.	No. of scholars depositing.	Amount of contributions.
		France.	
			Francs.
Jan. 1877,	8,033	176,040	2,984,352
1879,	10,440	224,200	3,602,621
1881,	14,372	302,741	6,403,773
1882,	16,494	349,219	7,984,811
1883,	19,433	395,869	9,064,583
1884,	21,481	442,021	10,248,226
		Austria.	
			Florins.
1876,	15	2,621	13,337
1878,	36	3,682	30,416
1880,	141	7,333	54,647
1882,	354	19,273	114,734
		Italy.	
			Lire.
1876,	522		
1878,	1,060		53,601.82
1880,	3,240		174,596.62

II. Sanitary Regulations.

Mr. Charles L. Brace, Secretary of the Children's Aid Society, of New York, testified before the U. S. Senate Committee on Labor: "After twenty-five years' experience among the children of the poor in this city, I can truly say that there is no one cause so fruitful of crime, vagrancy and bad habits among them as the condition of the tenement houses. How they ever grow up to purity, honesty and decency is a wonder when one knows how they live." Better sanitary regulations is the crying need of the hour. The State has here a most important and long neglected duty. As Carroll D. Wright, one of the best authorities on the subject, has said: "I think the chief work which legislation can now do with reference to the labor question is in the matter of homes for operatives." † When statistics show that three times as many, in

Jahrbücher für Nationalökonomie und Statistik for 1885, p. 47.

†Testimony before U. S. Senate Committee on Labor, vol. 3, p. 418.

proportion to population, die in the tenement as in the residence wards of our large cities, it is safe to say that though much of this mortality is due to insufficient or unwholesome food, to excessive manual labor and other causes, fully one-half is directly attributable to the bad housing of the people. Any wholesale removal of such tenements by the sanitary authorities, before private enterprise can be aroused to supply better would be unwise, but it is only necessary to observe what is being done in Chicago* under the able superintendence of the health commissioner, Dr. Oscar C. De Wolf, to become convinced that the city authorities can effect great improvements. No house can now be constructed in Chicago until the health officer has approved the plans, and no house can be occupied or even the plumbing covered or concealed until another inspection. Thirteen hundred and eighty-four examinations of new buildings were thus made during the first nine months of 1885, and in 371 of these, changes were ordered by the inspectors. The health officers also examined, during the same time, the abodes of 446,322 persons and secured 16,894 abatements of nuisances.

III. Land Laws.

The theories of Henry George will not help us; but when we consider that there are one and one-half million tenant farmers in the United States, or more than in all Great Britain; when we consider, too, that there are only about one-half as many land-owners in this immense territory as in France with twelve million less population,† and when the further fact is added that twenty-nine European landlords own as large an area here as the whole surface of Ireland and under severer terms with tenants,‡ we may well ask ourselves if the legislation which has permitted such abuses should not be at once amended. Nothing has been so conducive to high high wages and national prosperity as our free Western land, yet now scarcely an acre of agricultural land remains open to free settlement, save that requiring much capital for drainage or irrigation.§ Our writers who speak so hopefully of the conservative influence

*For a fuller account of the sanitary regulations and their enforcement in Chicago, see my article in Bradstreet's, Dec. 26, 1885.

†See article in North American Review for January, 1886, by Thomas P. Gill, M. P.

‡See article in North American Review for February, 1886, by A. J. Desmond.

§See comprehensive report of Edward S. Lacey, House Reports, 47th Congress, 1st sess., vol. 2, No. 473.

of our farming population to resist the seething discontent of our railroad and manufacturing centres should ponder these facts. The State should at once take measures to make wise use of our remaining resources and to encourage the ownership of small farms by their occupants if this be practicable. The time may come when our government will be obliged, like the British, to assist our poorest classes to emigrate. Where will be the land for them?

IV. Postal Savings Banks.

These now exist in almost every European country. In the United Kingdom, at the close of 1880, $164,333,382.19 were on deposit in these institutions by 2,184,972 persons. They do not seem necessary in New England and New York, especially in the former section, because of the great popularity of the local savings banks. But the distrust of these in the West and South leaves a field open to the postal savings banks, which, probably, will soon be filled. Many a workman would deposit a few cents in the post-office, as he passes, who would not think of entering a bank. The investment of these deposits, while our debt is being paid so rapidly, is a financial difficulty, but it does not seem insuperable.

V. Demands of the Knights of Labor.

During the last session of the forty-eighth Congress, Mr. T. V. Powderly, the chief of the order which now embraces in its 5,500 assemblies between 300,000 and 500,000 voters, sent out a secret circular to the members of the order, requesting them to write to members of Congress in behalf of labor measures. Over six thousand letters and postal cards went through the Congressional post-office at Washington in one day in response.* Such a body of voters will soon command almost any reasonable legislation. The danger is rather that, without due consideration, they will ask for unwise measures. Some of their demands have been endorsed already in this paper. Others, such as for strict factory inspection, liability of employers for accidents, incorporation of trade unions, establishment of bureaus of statistics and of courts of arbitration, prohibition of child labor

*Address of Mr. Powderley, Oct. 5, 1885, at the National Assembly of K. of L. at Toronto.

and limitation of women's labor will be generally approved, provided sufficient concert of action is induced to secure their nearly simultaneous adoption in all our large manufacturing States. Otherwise capital may, in some degree, be driven into States where such laws do not prevail.

One of our greatest evils, the unrestricted immigration of certain classes from Europe will, ere long, come to the front as much as has the Chinese question. It is a good omen that, instead of rushing to Congress for protection, the official chief of the Knights of Labor thus addresses his order*: "We should ask of the European labor organizations to recommend some journals that would publish statements of the condition of affairs in this country, when they come to them from reliable sources. We should print circulars and documents concerning the status of the working-men here and scatter them among our brethren in foreign lands."

The demand for legislation in favor of weekly payments, and for the abolition of the contract system on public works, will not be so generally endorsed. The success of weekly payments in Massachusetts will be watched with interest. It has been found in England the surest way to prevent the evils of factory stores.

VI. Government Railroads and Telegraphs.

One important demand of the Knights of Labor demands careful study: "That the government shall obtain possession, by purchase, under the rights of eminent domain, of all telegraphs, telephones and railroads, and that hereafter no charter or license be issued to any corporation for construction or operation of any means of transporting intelligence or passengers or freight." This is socialistic, but the theory of Jevons, which we have adopted, requires us to examine all proposed changes on their merits. One thing seems to me certain. Nothing can be done in this direction under our present civil service, which makes us a reproach among nations. The necessity for civil service reform lies not in any actual misappropriation of funds. That may be of little account. The danger lies in the immense power conferred upon the worst elements of our politics. There can be no calm consideration of national or local interests, when the spoils of office await the victor. To increase the power of our political bosses by such an

*Address at Toronto, Oct. 5, 1885.

enormous extension of these spoils as railroad ownership by the State would entail, would bring upon us such a reign of corruption and tyranny as few can conceive.

It is quite possible that there are such counterbalancing considerations in case of the telegraph as to make government management of that a wise measure. Railroads, however, are better in private hands. The only forcible argument for State ownership, rather than State regulation, is, that now in many places our great corporations are supposed to exert as much corruption in buying privileges from legislatures and boards of aldermen as would the State or municipality, if it displaced these corporations. This argument will have more weight in some states and cities than in others, but of itself, seems insufficiently proven to warrant State or local ownership. It is claimed by some that, while State ownership of railroads might at first bring corrupt administration, yet that is no more than the legislative corruption resulting from the present system. A corrupt administrative machinery, however, by enormously increasing the power of local bosses, must also affect the independence of the legislative department. Both railroads and telegraphs are owned by most of the European governments, but we must remember that a monarchy like the German is usually far more successful in securing pure civil administration than can be any republic with the false notions of "spoils" that so often prevail.

As we shall gain nothing, however, by blinding our eyes to the results of socialistic experiments in Europe, I have thought it well to quote the following, from the eminent Belgian economist, de Laveleye,* in reply to Herbert Spencer: "Men would be no more slaves in workshops belonging to the State than in those of merchants or manufacturers of the present day. Mr. Herbert Spencer can very easily assure himself of this fact. Let him visit the State collieries at Saarbruck or inspect the Belgian railways and interrogate all the officials and workmen employed; he will find that, from the highest to the lowest, they are quite as free, quite as contented with their lot as those engaged in any private industry. There is even far more guarantee against arbitrary measures, so that their real freedom is greater than elsewhere. The proof of this is the fact that posts in any industries belong-

*Contemporary Rev., April, 1885.

ing to the State are always sought for by the best workmen." Prof. Hadley, in a recent conversation, has also affirmed that State ownership of railways in Belgium and Germany is a success. But all this applies to continental bureaucracies. Our political conditions are far different.

Whatever may be the wisdom of our government taking possession of the telegraph, the true solution of the great abuses of our railroad system lie in State regulation rather than ownership. That there is need of some governmental action is fully sustained both by Prof. Hadley and by Pres. C. F. Adams, of the Union Pacific R. R., who are acknowledged to be at once the most competent and impartial students of the question in America.

VII. Municipal Ownership of Gas Works.

In discussing socialism, it was held that, save in exceptional cases, State ownership of means of production was unwise. Some of our economists, notably Drs. R. T. Ely and E. J. James, maintain that means of illumination are such an exception, and, as 160 towns and cities of England successfully operate their gas works, the subject of municipal socialism becomes a practical question. Other demands for municipal action are made, such as the ownership, if not the management, of street railways. In view of the probable increase of municipal functions in this country in the near future, the American Economic Association is to be congratulated on having begun a thorough study of the history and present status of municipal ownership of productive property in the United States.

The possibilities, both good and bad, of municipal management are well illustrated in the following account of the municipal gas manufacture of Wheeling, West Virginia, written December 5, 1885, by a prominent official of that city. "In reply to your inquiries, I will say briefly that we furnish gas to consumers at 90 cents per thousand feet, and at this price realize a handsome marginal profit. Politics have never entered into the management of this work, although owned and operated by the city. This business has always been run on sound business principles. Now, however, the completion of things has changed, and henceforth it will be recognized as a political machine, and I will not vouch for cheap manufacture and good results. A new Board of Trustees

has been elected * * * who are compelled to change the administration from political pressure brought to bear upon them. Officers of long experience in the gas business will be supplanted by men who are totally ignorant of the manufacture of gas. My opinion is that the contemplated change will be one of the most disastrous things the city has ever done, and would wager anything that within six months they (the Board) will be compelled to raise the price of gas, and doubtless wreck the entire business." As the writer of the above was, I conclude, one of the displaced officials, his predictions may be somewhat colored thereby. The poor results of municipal gas manufacture at Philadelphia are well known. The experiment there, however, has not been a fair test, since the gas manufacture has been in the hands of an irresponsible board, which no one could favor.

As long as quasi-public corporations declare from 21 to 33 per cent. dividends, without due regard to the public interests, as was the case with the New York gas companies in 1883, and as long as valuable franchises are voted away for a nominal sum, so long will the demand for State or municipal interference continue to grow. The London experiment of allowing the various gas companies to increase their dividends a certain per cent. for every penny reduction in the price of gas, which seems better also than arbitrary limitation of dividends, has met, it is said, with general satisfaction.

Conclusion.

It has been my attempt in this paper to point out the strength and weakness of Socialism, to show the need of moderate State action, and to point out as well as might be, in the space allotted to it, some of the most important directions of State interference in the cause of justice and of the best interests of all classes of the social organism. As remarked before, it has been necessary to omit all reference to individual initiative, to profit-sharing, to co-operation, to mutual benefit and relief associations, to arbitration, and especially to moral reforms, which, in my opinion, are more promising than any State action, important as that also may be. "What is most urgent," writes Professor Ingram,* "is not legislative interference on any large scale with the industrial relations,

*Encyclopedia Brittanica, article, Political Economy.

but the formation in both the higher and lower regions of the industrial world of profound convictions as to social duties, and some more effective mode than at present exists of diffusing, maintaining and applying these convictions." Such seems the true solution of the social question. Many important factors of the problem have been necessarily omitted, or too hastily dwelt upon. A question that reaches down to all the fundamental principles of political economy and social science, and one may well add, ethics and religion, cannot be adequately treated in a single paper. But if any of the facts and opinions here presented shall awaken some to a more vivid realization of the magnitude of the questions at issue and of the tremendous responsibility on the shoulders of all thinking men to study the problem wisely and well, in all candor and sympathy for those less fortunate, it may be, than ourselves, my purpose will be accomplished.

Although the way sometimes looks dark, our faith is strong that in the dim, far-distant future, the dream of the poet shall be fulfilled.

"There shall come from out this noise of strife and groaning
A broader and a juster brotherhood,
A deep equality of aim, postponing
All selfish-seeking to the general good,
Then shall come a time, when each shall to another
Be as Christ would have him—brother unto brother."

III. LABOR UNIONS UNDER DEMOCRATIC GOVERNMENT.

BY D. MCGREGOR MEANS, OF NEW YORK.

(Read September 10, 1885.)

The Trade Unions of England may be said to have come into existence within the last half century. For a long time their growth was slow, but of late years, since the removal of certain legal obstacles to their formation, they have increased and multiplied until they have now a membership of probably over 800,000.

Such Unions are still in their infancy in this country, but there is reason to suppose that they will increase more rapidly in the future than in the past. They are under influences somewhat different from those that have operated on the English Unions. The latter were compelled to trust to their own powers and to depend upon their own exertions, for the spirit of Parliament and of the law was hostile to them. In this country the institution of universal suffrage may be used by these Unions to put in office legislators of a friendly disposition. The general character of the legislation that is likely to result from their influence, seems, therefore, to be a timely and proper subject of enquiry for those who are disposed to forecast the jurisprudence of the future.

Democracy does not mean now what it meant when Aristotle wrote. Democracy in his sense was government by the many for their own interest. Government by the many for the common good, he called Polity, or Republic. We, however, leave out of the meaning all reference to the end or aim of the government. Democracy is simply government by means of representatives chosen by universal suffrage, whether they govern well or ill. Nor do we hold that such government necessarily tends to the common good. Popular government is a means, not an end. The majority is not infallible—the voice of the people is not literally the voice of God. The people may be misled by bad advisers, or commit wilful injustice in the future as they have often done in the past, and it is under government of this fallible nature that we are to consider the Labor Unions as exerting their powers.

For the purpose of clearly understanding the nature of the enquiry, it is desirable to define at the outset what is meant by special legislation and by class legislation. It may be said in

general that legislation has never proceeded upon any systematic plan. Every law is passed in response to a particular demand. Persons under certain circumstances see how they may be benefited by legislation that gives them new advantages, or removes from them old restrictions. Very few laws are passed because there is a general demand for them, and very few are general in the sense that they actually apply to every citizen. Even the criminal acts do not begin — "All men are forbidden to do this," but "Whoever shall," or "If any one does," etc. The general character of a law depends upon the number of citizens who may probably be affected by it. If everyone is likely to be in the situation contemplated by the law, it is truly a general law; if only a few, it is a special law.

But special legislation need not be class legislation. A law may be passed at the instance of a small number of persons, and apply but to a small number of persons, without being class legislation. We shall get at the idea of a class through the definition of a caste. Those members of a community that have descended from certain ascertainable ancestors form a natural caste, one that cannot be quitted by its members or entered by outsiders. If legislation granted any privileges to such members, or imposed any disabilities upon them, it would be clearly class-legislation. The criterion is the part played by volition. If there are citizens to whom the law gives privileges, or upon whom it imposes burdens, because they have certain attributes, or stand in certain relations, which are not attainable, or removable, as the case may be, by other citizens through their own exertions, such citizens form a class, and such law is class-legislation. The same is true when the hindrances to such exertions are very great.

Unless laborers form a class in this sense, we may question the truth of many of the complaints concerning their condition. It is claimed that laborers as a class, have been oppressed by legislation in the past, and it is urged that legislation in the future shall favor them as a class. Let us examine both these contentions.

It is easier to talk about "the laborer" than to define the meaning of the word. In one sense we are all laborers, for everyone does work of some kind. But probably the essential feature of the definition is the compulsory nature of the work. Laborers are those who have no other means of support than the sale of their muscular strength and manual skill, for a consideration pay-

able at once. Poverty is therefore a characteristic of the laborer. If he has property he is no longer dependent. He can then hire some one to work for him. He may still continue to work for wages, but he does not have to work for a living. Just so soon and so far as his wages cease to be a necessity, he begins to acquire the interests of the capitalist. Laborers, then, are simply poor people, and the non-possession of property is the distinctive mark, and practically the only distinctive mark of the laboring class, so-called.

It cannot be denied that in England there has been legislation that has the look of aiming to keep the poor from bettering their condition. Sir Thomas More saw nothing in the system of society around him but a conspiracy of the rich against the poor, and Prof. Thorold Rogers declares that it was a conspiracy concocted by the law and carried out by parties interested in its success, to cheat the English workman of his wages, to tie him to the soil, to degrade him into irreparable poverty. Statutes without number were passed to fix wages, to prevent the migration of laborers, and to check combinations, and barbarous penalties were prescribed for the violation of these acts. But what trace of such legislation is to be found in our statute books? If any restrictions upon combinations of laborers exist, they are never enforced. So far as I can discover, there is in our system of laws no class distinction between rich and poor. There are no special privileges attached to the ownership of property, and its acquisition by the poor is neither hampered by legal obstacles, nor is it practically very difficult.

Some of the Labor Unions of Europe indeed lay it down that the institution of private property necessarily involves special privileges; but we must assume that the common sense of mankind will always judge that the advantages of this institution greatly outweigh its inconveniences, and unless the law gives the property-owner some privilege additional to that necessarily connected with property, such as an exclusive right to office, or a right to command the labor of the poor, there is no injustice in the institution.

It appears, therefore, that so far as legal restrictions upon the activity of the poor are concerned, there are none. As to the claim that the legislation of the future must be in the interest of the laborers, it is to a certain extent, at least, paradoxical. The laborers are the poor, and if legislation is to discriminate in their

favor, it can only be by discriminating against the rich. But such legislation defeats its own object. It can only aim to make the poor rich, and it would accomplish this by making the rich poor. As soon as the benefit is bestowed it is to be recalled. As soon as the poor man, by the aid of this legislation acquires property, this legislation like a boomerang turns on him and snatches it away. No doubt there are those who would be contented with legislation that should make the rich poor without making the poor rich — with the mere plunder of the property owners — and such legislation was contemplated by Aristotle in his observations on Democracy; but it is safe to say that the injury to the mass of the poor would be so quickly and severely felt that the rich would be able to put a sudden stop to robbery of this kind.

It seems, therefore, that laborers as a class have no interests other than those of the whole community. Whatever improvements in our institutions tend to make it easier to acquire property, or to make property more productive, are for the interest of both rich and poor. Of course it would be folly to be blind to the general disposition of the poor to favor large public expenditure. They reason that public expenditure necessarily involves the employment of laborers, and that the more of it there is, the greater will be the demand for labor, and the higher the wages paid. They overlook the possibility that if the money taken by taxation from the property owners were left in their pockets, it would still go for the payment of wages and would be spent with so much more judgment, that it would constitute a permanent and increasing wages-fund. Even if it were spent in luxuries it would furnish temporary employment to the laborers that produce luxuries. The $15,000,000 spent on the capitol at Albany, and the $15,000,000 spent on the court house at New York, furnished employment for the time to some laborers, but it was at the expense of others. If two-thirds of the sum had been left with the taxpayers, it would have employed laborers also, and would have done so indefinitely.

To this Mr. Henry George would reply that the public revenue should be spent in works that would be of permanent benefit to the poor — free baths, free dispensaries, free hospitals, etc. He does not make sufficient allowance for the fact that if laborers are provided with these things they would not need so high wages, and not needing them, they would not get them. No legislation

ean make eapital engage in unprofitable employment. If it is taxed too heavily, it will strive to make its profit by redueed wages; if it eannot do this, it will emigrate to some country where it ean, and if it eannot do this it will eease to be aeeumulated. A large public expenditure is eertain to enrieh eorrupt politieians, contraetors and jobbers, but it is hardly possible that it should be for the interest of the great body of laborers.

Upon the whole, we may eonelude that although laborers do in a sense eonstitute a elass, beeause they labor from neeessity and not from choiee, yet there is no elass-legislation of whieh they ean complain, exeept that whieh tends to lessen their wages and thereby to make it more diffieult for them to leave their elass. And on the other hand there can be no legislation in their interest exeept that which makes it easier for them to leave their elass. It is benefieial in so far as it is destruetive. If it does not tend to extinguish the elass, it fails of its purpose. And sueh legislation must be for the good of the whole soeiety.

But the ease of Labor Unions is wholly different from that of laborers at large. The ability to form a Union implies a remove from the eondition of the mere laborer. These Unions cannot exist without eapital, and their history in England shows that they ean quiekly aeeumulate a large eapital. They are formed for each trade by the most skillful and intelligent of the workmen in that trade, and as soon as they are formed their members eease to be dependent. Their objeet is to seeure this independenee. They say to the employer, pay the wages that we ask, or your eapital shall lie idle. The brieklayers of New York eommand for such a purpose the savings of the brieklayers throughout the eountry. These savings are aeeumulated as a menaee to employers, and, where a Union is at all strong, it is stronger than almost any single employer. He must fight with his own capital, but his men fight with that of all their fellow tradesmen.

In faet, so little elaim have the Labor Unions to represent laborers that they oeeupy a position of neeessary hostility to them. The great mass of eommon laborers eannot unite. They have nothing in common but their poverty. Agrieultural laborers, the largest class of all, eannot unite in this eountry beeause the eountry is too sparsely settled. Less than one-fifth of the laborers of England are within the Unions, and more than one-half of them will probably be permanently outside. So far as these outeasts

are concerned, the Union men are quite as much their masters as the capitalists. It is important not to be misled by the apparent effort to bring workmen into the Unions. This is a temporary policy, adopted because the Unions are weak and need more fighting strength. But as soon as they are strong enough, their policy changes. It is for the interest of those who work at a trade that there should be as few working at it as possible. Hence the Unions limit the number of apprentices very strictly, and as fast as they can they practically drive Non-Union men out of the trade rather than into the Union. When a Union grows strong, judging from the course of things in England, it looks askance upon workmen that have not learned their trade under Union men. There is the door to the trade — only thieves and robbers come in by any other way. The feeling in the medical profession is a form of the Trade Union feeling. To be sure doctors are not so barbarous as to refuse to attend patients that employ irregular practitioners, but they will not consult with such practitioners, and they will employ all their power and call in the aid of the law to drive such unworthy members out of practice. This example may well be considered by Trade Unionists. Why should people be allowed to employ irregular bricklayers or carpenters any more than irregular doctors? The entering wedge has been driven, for in New York not everyone that calls himself a plumber may do plumbing.

It seems, therefore, that the members of these Unions constitute a class, and are animated by class-feeling. It follows also that although laborers in general cannot profit at the expense of the whole society, Labor Unions can. They can profit, if in no other way, by the reduced wages of the laborers who are not members of the Unions. Those who belong to this helpless class are not worth high wages. Unless employers can get their services at low rates they will not risk incurring the hostility of the Unions by employing them. They are the unskilled, the dishonest, the improvident, the stupid and the unlucky. The Trade Unions desire to exclude all such from their ranks. They are an illustration of the principle of natural selection. Their members are raised to a certain extent above the operation of Malthus' law. Their wages are not dependent upon the general increase of population, but upon the increase of the members of their trade. If there are more people in the world, but no more carpenters, so much the better for the carpenters.

It seems, therefore, that Labor Unions do not differ essentially from the associations of manufacturers. For the present, at least, their influence upon the general policy of our legislation will probably be the same. An association of manufacturers naturally endeavors to limit competition. New concerns are not favored, and whatever tends to put the control of the industry into the hands of the members of the association is favored. Of course there is no question that the manufacturers of this country have had a great deal of special legislation in their favor in the shape of protective duties. They say that this is not class legislation. If there is any complaint of the duty on copper, they say—any one can smelt copper. Any poor man can lay up capital and buy a copper mine and establish copper works for himself, if he thinks the duty on copper gives excessive profits to the miners. But in so far as these are insuperable obstacles to this course, so far as any industry is monopolized, either by the possession of patents, as is said to be the case in the steel works, or by the possession of natural advantages, as is said to be the case in the copper and marble industries, or by the necessity of a very large capital, it cannot be denied that the capitalists engaged in that industry form a class, and that duties that prevent competition with them are class legislation. And just so far as the laborers engaged in that industry form unions, they become a class and are interested in the maintenance of such duties. Here their interests diverge, not only from those of laborers in unprotected industries, but also from those of their employers. The employers want protection on goods, but free trade in labor. They want profits larger than are current, but they want to pay only the current wages. But the workmen do not want free trade in labor, and they do want to share in the abnormal profits; and they can compel their employers to give them a share if they can maintain their Unions. Hence the Unions denounce the importation of laborers, and endeavor to expel the Chinese. Such importations nullify their work. But they are heartily in accord with the manufacturers in the support of protective duties. Both call for protection for home industries, by which the manufacturer means good profits in his own business, and the Union means good wages in its own trade. One object, the Unions claim, is as legitimate as the other. If the tariff is a good thing when it benefits the manufacturer, it does not become bad when that benefit is transferred to the workman.

It may very well be that the growth of Trade Unions will cool the ardor of the manufacturers for protection. If the Unions succeed in taking off the excess of profits over the normal rate where any such exists, and securing it in the shape of higher wages, manufacturers will probably think that it will not pay to spend any more money for protective legislation. They will feel that protection has done its work. That feeling will not be shared by the Unions, and there will then arise a struggle over the control of legislation. In this struggle there will be advantages on both sides. The capitalists will have money to apply to the purchase of the votes of Non-Union men, and their representatives being themselves wealthy, will not be purchaseable. The representatives of the Trade Unions will be poor, and so far as they stand for a policy, not because it is right, but because it is believed to be for the pecuniary interest of a class, they will be purchaseable. But on the other hand the discipline of the Unions will be so complete that in every manufacturing town they will be likely to hold the balance of power, and they will require explicit pledges to vote for the measures that they desire, as a condition of their support. So far as they can agree upon these measures beforehand, there seems to be no reason why they should not carry them in a State in which the manufacturing class is very large. Elsewhere the agricultural class will probably be roused to dislike of their policy, and in conjunction with the capitalists will hold them in check. But nowhere shall we be likely to see any legislation designed, at least openly designed, to interfere with the plans of the Unions. They will probably demand and obtain legislation limiting the hours of labor, and regulating the employment of women and children, although here conflicting interests will have to be reconciled. When it comes to fixing the wages to be paid to laborers employed by government, the conflict will be open. A skillful carpenter or machinist would not view with favor a law giving a street scavenger as high wages as he gets himself. Obviously the Unions can agree upon legislation only to very moderate extent. But when they agree upon a national policy, the canvass of the future member of Congress will become a trying ordeal. He will have to declare in advance what he proposes to do, and he will probably take with him very full instructions from his constituents.

The recent performance in the State of New York in regard to

the employment of convicts by contract illustrates this subject. At the demand of the representatives of certain Labor Unions such employment was terminated, and it was evidently a matter of indifference to them if the convicts were to be supported by taxation instead of earning their own living. The manufacturers engaged in the industries affected by the competition of these contractors no doubt sympathized with the agitation, and probably fomented it. They considered that these contractors were enabled to undersell them by getting their labor cheap, and the laborers considered that their wages were kept down by the competition of the convicts. They both considered that their share of the increased burden of taxation would be less than the increase of profits and wages that they would secure by stopping the work of the convicts. Now with free competition they would both be wrong. If the contractors sell below the normal cost of production, capital will withdraw from these industries until the supply of products is reduced and the demand raises the price. It has been demonstrated that the products of prison labor amount to not more than two or three per cent. of the total production in any industry, and of course the supply from the source cannot be increased. A like result would follow in the case of labor and wages. There may indeed be a temporary advantage to both manufacturers and laborers in closing the prison workshops, until the supply of products overtakes the demand; but, if the industries are open, this advantage would be but trifling.

If the industries are not open, however, the manufacturers and the Unions may both be right. The manufacturers may gain if they can prevent the starting of new shops, and the Unions if they can limit the number of workmen. And if the Unions are well organized they will take this gain away from the manufacturers and add it to their wages. The Legislature submitted to the Unions in this matter, and it will grow more submissive as the Unions grow more powerful. Legislation of this kind seems to be consistent with the principle of protection to American labor. If our laborers ought to be protected against the laborers of Europe, whose only offense is pauperism, they are certainly right in claiming protection against laborers who are addicted to robbery, arson and murder.

It would be interesting to consider the prospective relations between Labor Unions and the courts, especially the courts of the United States; but such an enquiry would require more space than

is now at my command. I have tried not so much to establish conclusions as to lay a basis upon which they may be established; nevertheless the investigation shows some propositions to be presumptively valid, and with a brief statement of these I shall close.

The formation of Labor Unions requires the exercise of forethought, patience, industry and mutual trust. As these are qualities upon which civilization rests, we may look upon the growth of these Unions without very grave apprehension. Their growth implies the acquisition of property; hence they will not be hostile to property as an institution, although they may be hostile to certain prescriptive rights. They will seek their own selfish interests, and to some extent the interests of the whole society may suffer; but the very qualities that give them their power will enable them to see when its unjust use reacts upon their own prosperity. They will probably obtain special legislation, and even class legislation; but there seems to be no reason to suppose that it will be more burdensome to the community than the legislation of the manufacturers. Their constitution implies the existence of society substantially in its present form; therefore in their warfare they will stand within the pale of society and not without it. They will perforce make use of the institution of representative government. If their aims are just and patriotic, their representatives will probably be faithful and honest, and not unwilling to learn by experience. If their purposes are grossly selfish, their representatives will be of corresponding character, and capital knows how to deal with such legislators. While the Unions are feeble and inexperienced they will listen to crazy agitators and be engaged in wild and destructive movements. They are, as it were, the party in opposition; when they come into power they will, after a temporary intoxication, be sobered by responsibility. They will contend with employers until both parties learn to deal with each other on equal terms. They will form a class above the very poor, which will remain the "laboring class," and while striving to share the profits of the rich, they will be interested to restrain the poor from predatory assaults upon property. It may be that their policy will be no wiser than that which now guides our government; still the qualities by which they must rise are qualities that tend to conservatism. If the counsels that are to guide the Trade Unions of this country shall be as wise as those by which the Trade Unions of England have been guided, we need not despair of the Republic.

PAPERS OF THE HEALTH DEPARTMENT.

I. INFLUENCE OF CITY LIFE ON HEALTH AND DEVELOPMENT.

BY GRACE PECKHAM, M. D., OF NEW YORK.

(Read Sept. 9th, 1885.)

None know better than the members of the American Social Science Association that the discussion of every social problem bristles with difficulties. The subject before us is no exception. Because of its complexity it is even more difficult than many. Man, in his relation to city life, is not an unit of fixed value. In fact, as an individual unit he varies indefinitely according to his age, his occupation, his surroundings. Let a human being be represented by the figure one, and city life will be to him like so many ciphers with the attending decimal point placed before or after, decreasing or increasing his welfare by tenfold, according to circumstances. Whether, experiencing every deprivation, he dwells in a tenement house, with its darkness and dirt, living on poor and insufficient food, or whether he dwells in a Fifth avenue mansion, in luxury, with every desirable thing in life at his command, he passes through a whole gamut of experiences, the sum total of which are crystallized into his being.

In investigating the subject there are two methods which may be pursued: 1st, the statistical; 2d, general observation.

The statistical is the one which commends itself at first thought. In contrasting city and country life, if one could know what proportion of individuals of similar classes enjoyed good health, what proportion suffered from sickness, and the nature and severity of the sickness; what proportion are accorded a long life; if one could have statistics with reference to the immensely varying hygienic surroundings, definite conclusions might be arrived at. The present is a statistical age. There is a mania for gathering statistics on every conceivable subject. "What are the statistics in regard to it?" is almost invariably asked, when any question comes up for discussion. The work which is spent on vital statistics is something enormous. The pains-

taking efforts of those engaged in it are certainly commendatory; but the result as yet as an aid to purely scientific work is not in any way commensurate with the labor. The returns at best are inaccurate, for no matter with how much zeal the statistician may work, he cannot overcome the negligence of some who fail to report: or of others who report inaccurately. While writing the above there appeared in the New York Medical Record (Aug. 27), an article by Dr. W. G. Thompson, which confirms this view. In reviewing the mortality and vital statistics of the census of 1880, just published by Dr. J. S. Billings, after five years of conscientious labor, he says: "The author has done all that is possible to tabulate returns in a scientific and practical form; but the liability to error is so great, amounting in the aggregate to 30 per cent., and in special cases to much more, that any reasoning based upon the tables must be conducted with great caution. These errors are due to the vast size and wide distribution of the population; to the constant migration and immigration, and more than all to the absence of systematic local records of vital statistics. Only 37 per cent. of the blanks sent to physicians were filled and returned. On these were 166,596 deaths for 1880, while the total number of deaths were 756,893, and census enumerators passing over the same ground failed to give 61,020 deaths reported by physicians."

In attempting to treat the question of the relation of city life to infancy we discovered an instance of the futility of trying to follow the statistical method. The State Board of Health of New York publishes a monthly, as well as an annual bulletin of deaths and their causes in districts, towns and cities. As the vital statistics of small villages are given, as well as others, it seemingly offered a promising field for pursuing the subject. In glancing down the column headed "percentage of deaths under five years to total deaths," here and there were towns, small ones, with one to five thousand inhabitants, with a record of 100 per cent. Such a record was startling. More than twice the percentage of New York city, which appeared in the same list. Looking back to the total number of deaths, in order to interpret this surprising infant mortality, we found that there had been only one death during the month, that a child; consequently the percentage of children under five to the total number of deaths *was* 100 per cent.

In the present state of statistics, therefore, the statistical method,

though the ideal cannot be relied upon; that of observation must be in the main employed, a method which, because of the vastness of the subject, must be imperfect, and conclusions drawn from it will be open to dissensions, in that no two people view a matter from exactly the same standpoint. The ideas on the subject are therefore offered as suggestions rather than definite and fixed conclusions.

In the discussion of the influence of city life on the health and development of the individual, the subject will be considered as follows:

I. Its Influence on Infancy.
II. Its Influence on Childhood and Youth.
III. Its Influence on the Adult.
IV. Its Influence on Old Age.

I. *Its Influence on Infancy* (including the first five years of existence).

However it was arrived at, the census of 1880 shows that the infant mortality of cities is twice as great as that of rural districts. Observation also confirms this. Who does not recall the pale, pinched features of city infants, fragile flowers, fading and withering in an uncongenial atmosphere.

What, then, is it city life that is so hostile to the infant? In general terms, bad air and improper diet; among the poor these and insufficient clothing, and neglect, wilful or thorough ignorance.

It is the infant mortality of the tenement districts which swells the list. The poor little atom of humanity is launched into existence in a bed-room that has never seen the light of day. This room, with the light penetrating into it through an intermediate kitchen from the front room, is filled with vermin. The child comes to be one of an already large family occupying these three rooms, crowding them at night, so that in winter the air is like that of the black hole of Calcutta. The tenement is one of four like it on the same floor. The whole building contains a larger population than many a sleepy New England village.

Here the child lives and grows, swaddled in rags, seldom bathed, mostly attended to by its little brothers and sisters, diminutive old men and women, one or other of whom staggers about with the child in its arms as they take it out for an airing in the

dirty streets, or carry it to some park, where it stays much of the time if it is summer. These are the breathing-holes for the poor little things. It is through these in summer that they get their chance for life. The bad air, however, is not their worst enemy. Many of the little ones would struggle up to the next step in life, childhood, in spite of these surroundings, in spite of the lack of oxygen in the air, in spite of insufficient clothing, if it were not for the food.

Many city infants perish from bad feeding. The little waif whose history we have outlined is placed at the family table to take his share with the others at the incredibly tender age. Often in the dispensary, in response to the question "With what are you feeding your baby?" comes the reply, "It eats what we all do." Milk is cheap, and because of the vigilance of the milk inspectors, for the most part pure. The different kinds of baby foods are not expensive, but to these people everything bought especially for the baby counts, even with those not so extremely poor, and therefore it is considered easier and cheaper to feed it at the common table.

The sins of feeding among poor people are monstrous. I have seen cold tea fed to a baby out of a feeding bottle, as well as coffee, beer, brandy and water. The dispensary physician asks as a routine question, "Do you give your baby tea and coffee?" The answer is more often than not in the affirmative.

Nor is ignorance of infants' diet confined to the poorer classes which crowd in tenement houses. It is less, perhaps, among the middle classes, and still less among the higher. The very wealthy scarcely come within the pale of discussion. For the child of the rich everything is done; for it are obtained wet nurses, or one cow's milk, or the best foods. A physician is employed to give counsel at the slightest alarm. A flight is made into the country if change of air is desirable. Anything and everything is done to save the infant's life if it is endangered.

With the regimen of feeding for the poor and middle classes which has been described, it is no wonder that two and a half times as many infants perish of diarrhœal disorders as of any other disease.

The prevalence of nervous diseases, especially of convulsions, is marked among city infants. The same causes are at the foundation, to which should be added in many instances the bad in-

heritance of want and woe; in others the results of struggles of parents to maintain a foot-hold in the ranks of civilization, and still others the outcome of parental intemperance and moral obliquity, all of which go to make the deep shadows of city life, the iniquity which is visited on children's children.

The country infant, no matter how poor or how rich, fills its tiny lungs with fresh, unpolluted air; when deprived of mother's milk for any reason has cow's milk, as a matter of course, has it fresh and pure, night and morning, without the churning which a long journey cityward gives it. Certainly his chances for life, his chances for a healthy physical development are double that of a city child.

II. *Influence of City Life on Health and Development of Childhood and Youth* (embracing the period from five years of age to twenty-one.

Beside the general environment common to all ages, educational and moral influences are factors which take a prominent part in childhood and youth. The school life of the city child must be considered, which, taken in conjunction with the complexity of other educational surroundings, renders the childhood of the city very different from that of the country. The effects of overcrowding, which occurs in many city schools, the longer periods of study, the multiplicity of subjects pursued, the effect of obliteration of individuality, so to speak, which happens when the child becomes one of hundreds of others in the school building, all these have a tendency to make an impression, varying widely from that made upon the country child. Intellectual progress is too often gained at the expense of physical development.

To conscientious parents, the moral relations of the child in the city is a matter of anxious solicitude. The absorbing question, how in the city to bring up a child free from taint and corruption which haunt the streets, is ever present with them.

New York tenement house children, like the street gamins, are familiar with vice in every form. So it is in all the squalid quarters of other great cities, moral sewers which contaminate childhood so that the little ones are like snow-flakes falling in muddy gutters, white and pure only until they find the streets.

Country children meeting in schools are by no means free from temptations to evil, and often are more corrupt and corrupted than one would imagine. But the city's agencies in this respect are

manifold. It is not our purpose to dwell on this aspect of the question, only to point out its relation to this subject, to which it bears the closest. In the lowest classes, knowledge of vice and its practices has a very deleterious effect on the health. These classes take to it naturally. A depraved, nervous system, inherited from parents drunken and ill-nourished, whose numerous children leave little vitality for each frequently succeeding one—a depraved, nervous system, fostered by surroundings, unsatisfied in a healthy way, craving unhealthy stimulation—becomes self-destroying.

Among the better classes of poorer people and the middle classes, who are unable to keep nursery maids for the children, the latter often suffer in their health from lack of outdoor play and exercise. In large cities, where many of the houses contain numerous families, there are no separate playgrounds for the children, who are hurried to and from school and shut up in the house, except when they can be taken out to walk by their parents or some older person, which, unfortunately, is but seldom. This class of children suffer from bad air more than the poorest class. The little street Arabs, seldom in the crowded school-room, play on the wharves, and seek the parks and squares. They sleep at night upon the roof; under the canopy of heaven, in summer. It is when shut in, in winter, in the overcrowded dens which they call homes, that they become victims of foulest air. Poor and insufficient nourishment make them unhealthy and an easy prey to disease.

The city children are much more liable to contagious diseases which rage in epidemics. Measles, diphtheria and scarlet fever are frequently more severe in type and more dread in their ravages. A city child more readily succumbs to disease when once stricken with it. For the weak and the sick child or adult, the best prescription oftentimes is the country. The gastro-intestinal disturbances, though not so widespread as in infancy, in early childhood are still prevalent.

The city child, then, while not suffering so much as the city infant from bad air and injudicious diet, is often at a disadvantage because of crowding in school, lack of individual attention, the forcing upon its mind of a multiplicity of studies and ideas, and exposure to a tainted moral atmosphere. The city child, especially the American, who has a world-wide reputation as an *enfant terrible*, is because of this overstimulating atmosphere more advanced mentally, and less awkward.

III. *Influence of City Life on the Health of Adults* (embracing period of maturity).

Here again the effects of city life are altogether different from those which influence the infant, the child and the youth.

Now is the time when physical, mental and moral qualities of the individual more nearly attain an equilibrium. To live with his fellows is the natural condition of man. The adult who avoids society is regarded as evincing a symptom of invading mental disease.

Setting aside all instances in which city life is an excess, such as dissipations of all forms, inordinate pursuit of business, and man, because of the friction with his fellows, reaches a higher state of development, physical and mental. There is scope to exercise his powers. He must think, must act, from sheer force of example. Ideas are poured in upon him. The semi-daily newspaper acquaints him with the doings of the world. His whole appearance is different from that of the countryman. How quickly is this apparent as the rustic, with his stooping shoulders, conscious of himself and his ill-fitting clothes, appears in the city streets. Setting aside the extremes of society, the very wealthy and the very poor, let us analyze the effect of city surroundings upon the adult; the influence of city air, city food, city occupations, city ideas, intellectual and moral.

The adult becomes accustomed to the impurities of the air, not that he is the better for the foul air. Surely the contrary; however it is certain that people in ordinary health do not suffer as much as is supposed from atmospheric impurities provided there is no contagion in it.

Physicians are surprised to find how comparatively small are the bad results which arise from breathing impure air. Wagner, a German physician, states that it cannot be said that definite diseases are produced by air made impure by human exhalations. Investigations among men who work in the London and Paris sewers show that they have fair health, and that they do not suffer from intestinal diseases more than others.

There must be a species of hardening with reference to bad air, or many more people would die of its effects than do. The ability to endure and still live in comparative health, the bad air of schools, churches, factories, railway stations, theatres, lecture auditoriums, private homes, especially in winter when it is cold,

offers proof positive that man can become accustomed to exist in a different atmosphere from that in which he was originally intended. Possibly there is a commencing differentiation of the lungs which makes it possible for the adult to breathe carbon dioxide instead of oxygen.

The food of the inhabitants of cities averages much better for all classes than that of the country. The farmers live mostly on salt meats and salt pork, while in the city laboring classes enjoy fresh meat. That which is good and wholesome the farmer sends to be sold in the city. His young children have milk to drink, but it is not for the older members of the family.

On the Great Scheideck in Switzerland, where hundreds of cattle were pastured on the green hillsides, the tinkling of their musical bells sounding in every direction, we asked of the landlord at the inn a glass of milk.

"Milk! It is impossible to give you milk. We have none."

"But see the cattle," we replied; "what becomes of the milk of all these cows?"

"Oh, we do not have it," he answered. "It is sent to the cheese factories miles away, every drop of it."

So with the farmer's earliest vegetables, so with the eggs, the fruits of the trees, the products of the orchards, from Maine to California, nearly all are sent to the cities, where their abundance makes them cheap.

The infants and young children are the ones who suffer in cities for lack of proper food; but the average adult population have better things to eat than country people—a more nutritious, wholesome food. Inured to bad air by habit and better fed, the adult in the city compares favorably in bodily strength with the inhabitant of the country, even with the farmer in the midst of pure air and plenty of it, and tolerably comfortable homes.

The effects of disease on the town-bred man are different from those of the country man. Setting aside those which arise because of occupation, and a list of forty such diseases are given, we find that those which come from exposure, such as rheumatism and lung troubles, occur more frequently in the country. They are not diseases which affect directly longevity; but they bow the frame and cripple the bodily powers. Country people, too, are victims of typhoid fever, because of their impure well water, contaminated from uncleanlinesses which flourish in the country often times because unchecked by the vigilance of officers of health boards.

The main reason that adults are better for city life is because that generally they are so circumstanced in it that they can best exercise their mental faculties. It is written "man shall not live by bread alone." A man is not a man when only developed physically. The intellectual powers must have full play. The mind is a potent factor at this time of life. It must have food. If intellectual starvation ensue, the physical frame responds. Inertia follows. Women more than men show this in the country. Change and variety must quicken the pulses to increase vitality. The city belle, with her ceaseless round of gayety, a monotony of variety, suffers from neurasthenia or nervous prostration. The farmer's wife, with her lack of exercise in the open air, her ceaseless round of household cares and lack of excitement, succumbs a victim to the same disease. It is much more difficult to restore the latter to a healthy nervous equilibrium, as those who have had dealings with the two classes can testify. Compare the buoyancy, elasticity and good physique of city women with those of the country, and, though not a traditional way of regarding the matter, experience and observation greatly favor this view.

Conditions in country and city have changed greatly within the last 50 years in the United States. The differences are becoming more widely marked as in Europe. We are having an imported peasantry on our farms and in the outlying districts.

The European peasantry illustrate the deadening effects of country life. The American traveller cannot soon efface the impression that they make upon him. Faces are prematurely aged, their figures are bent under their heavy burdens. However vigorous and blooming at 18, at 35 and 40 they have become old, and one would credit them with twice the number of years, especially the women, who do most of the heavy farm work in Europe. They contrast greatly to their disadvantage with the wives of laborers of the same class, and there is an ever-increasing disparity as the rank in life improves.

In a large New York dispensary practice for women, to which come representatives of almost every European peasantry, I have been often impressed with the prematurely aged appearance of these people. It is the result of privation and overwork, which is greater among those in rural districts in Europe than with us.

In the cities the influence of example, the stimulus of ambition incite men to make the most of themselves.

The objector may exclaim: "You do not state the obverse. You have set aside those who overwork, overdrive, whose energies are dissipated because of the multiplicity of impressions and consequent lack of concentration. You do not speak of the terrible ruin that come to many." In reply it may be said that greater opportunities for good bring greater opportunities oftentimes for evil, and influences which tend to man's destruction are rife more in the city than in the country, and it depends on the character of the individual whether he will be influenced by them or not.

Constituted as man is, in order to attain as nearly a perfect existence as is admissible with the externals which now surround him, he must have variety. Treadmill existence takes life, hope and spirit out of him. The dweller in the city should have the change now and then to the country. That there is an increasing realization of this is evidenced by the growing custom of summer vacations. The farmer also needs the broadening and enlightening effects of city life. *All* are like the fabled giants of old in the need of touching once in so often their Mother Earth to renew their strength seven fold.

Influence of City Life on Old Age (embracing the period of decline).

Old age is not associated with the city. The traditional picture is that of the old man spending his last days beneath broad spreading trees, perhaps those that he set out in his youth. Country people keep a strict account of the passing years of their neighbors, and it is expected when a certain age is reached that the arm chair in the chimney corner will claim its occupant. In the city, age is ignored until it is something to be proud of, as when one is a nonogenarian. The individual keeps at the wheel as long as possible. Mental activity is conducive to longevity. In some respects the old are more comfortable in the city. The houses are warmer. There is less dampness. Changes of temperature are less sudden. There is less exposure of all kinds, therefore less liability to sudden attacks of pneumonia, which is so fatal to the aged.

Conclusion. Much more than has been can be done to render city life more favorable to the health and development of the individual in all periods of his existence.

Upon the solution of the innumerable questions of hygiene

which occupy the thoughts of scientific people depends the correction of existing deleterious influences. Foremost among these is the question of pure air, proper ventilation. Houses should be erected so that the air and sunlight can reach them. The avariciousness of men in regard to city space must be held in check. The world is wide, and much territory remains unoccupied. Why, therefore, should lofty towers-of-Babel structures be piled skyward and these crowded together? The tenement question is a serious one, and cannot be too much discussed and agitated. More and more experience proves that lives are sacrificed because of the improper solution of the great problems of sanitary engineering, the plumbing of houses, the disposal of the sewerage of cities. Cleanliness, which is so woefully lacking in the lower classes, must be obtained by inculcating individual hygiene. The ignorance of how to dress properly, the ignorance with reference to diet, especially of infant feeding, should be dispelled. The correct solution of these and other kindred problems means a perfect hygiene, and a perfect hygiene means preservation of health, that there has been attained "a most perfect action of mind and body during as long a period as is consistent with the laws of life;" or, in other words, the art of rendering growth more perfect, "decay less rapid, life more vigorous, death more remote."

II. THE HEALTH OF AMERICAN CITIES.

BY CHARLES F. WINGATE, OF NEW YORK.

(Read September 9.)

The concentration of population in cities is one of the marked features of the century. In 1790 only one-thirtieth of the American people lived in towns of over 8,000 population. In 1880 the number had increased to one-fourth, and the townward tendency is unabated. Despite all that has been said about the charms of country living, most persons prefer the convenience, comfort, recreation and society of the city.

Milton thus contrasts the difference between the atmosphere of the city and that of the country:

> "As one who long in populous city pent,
> Where houses thick and sewers pollute the air,
> Forth issuing on a summer's morn to breathe,—"

But if the air which one has to breathe in the country is redolent with malaria, or with the emanations from cesspools and other nuisances, it is not to be preferred to that of the "populous city."

Dr. Sargent, in his recent lecture, declares that life in towns is, on the whole, more healthful than it is in the country. Town people have less malaria, better food, higher spirits, and, on the whole, get more out of life in every way. Sir Charles Dilke, addressing a public meeting in London in 1884, said that "although there had been an enormous advance made in sanitary matters generally throughout the country, and although there had been a great diminution of mortality, exceptions to all this were to be found, chiefly in the rural districts." This is largely to be charged to the absence of sanitary regulation and of competent officials to enforce them. Even where health boards exist, they are inexperienced, inefficient, or lack money and power to enforce the laws. This difficulty has been partly met by the creation of Town Improvement and Sanitary Associations which have effected many reforms, and which should be multiplied everywhere.

In every locality there are varying circumstances which affect health. The nature of the soil, the extent of low and marshy land, the facilities for drainage and for securing an abundant and pure water supply, the character of the population and their occu-

pation, the extent to which manufacturing is carried on, the existence of commercial and other nuisances, the restrictions placed upon builders and upon plumbers to prevent their scamping their work, the character of the homes of the masses, whether they are lofty and crowded tenements or separate and more scattered small dwellings; and finally, the extent and kind of sanitary regulations as enforced by the authorities. As in other phenomena the law of compensation will be found to act in the case of cities, and one advantageous feature may be balanced by another: thus, in Philadelphia, the benefits of having separate and detached homes are compensated for by the difficulty and expense of sewering so vast a territory; again, New York's two rivers permit the prompt removal of sewage into running water, but on the other hand the Hudson and East River are an obstacle to travel and force the mechanic to live in crowded and unwholesome tenements.

Among the poor, poverty and insufficient food and clothing greatly influence health; but more harm is caused by improper food than by a deficiency in amount. It is during the summer months when milk sours, and stale vegetables and unripe fruit abound, that most deaths in cities occur. An abundant and pure supply of milk would therefore be a positive boon to the poor. Again, lung food is even more more needful than other food. The foul and fetid atmosphere of the slums is responsible for most of the urban mortality.

Tried by the standard of the prevalence of preventable disease and the destruction of infantile life, few American cities can present a clean record. They may boast of their extraordinary salubrity, and of the great age to which people live, or point to their low annual death rate, but the above test, if rigidly and impartially applied, cannot be gainsaid. No community that fails to meet it can assume to be healthful. The deaths of the children may be few, as in Chinatown, in San Francisco, because the population is largely adult, or there may be a really low death rate per thousand, as at Pullman, but wherever typhoid fever, consumption and diphtheria find victims, and wherever children's ailments are especially destructive, we may be sure that there is something wrong with the sanitary surroundings.

The following details regarding the sanitary status of representative American cities have been gathered from trustworthy sources and indicate their comparative healthfulness.

The topographical and sanitary features of the Metropolis are too well known to require lengthy description. Situated upon a narrow island with a backbone of rock and a water front largely composed of made land, it is washed by two deep and rapid rivers, swept by sea breezes, abundantly supplied with wholesome and cheap food, and it possesses an excellent water supply and an elaborate sewer system. But these natural advantages, which should continue to make the metropolis a haven of health as it has been in the past, are largely neutralized by the massing of dwellings in certain sections, which are packed with a vast population of ignorant and uncleanly foreigners, and by the multiplication of manufactories, the lack of soil drainage, especially along the site of ancient and abandoned water courses and on the water front, and by the want of forethought shown in arranging sewers, paving streets, locating parks, erecting schools and otherwise providing for the sanitary needs of its large population. The result is seen in the unusually high death rate, especially among young children, and in the prevalence of zymotic diseases of every form, but especially consumption, diphtheria, typhoid fever, scarlet fever and diarrhœal diseases, which are destructive to children, particularly during the heated term. The tenement system of New York is phenomenal and is largely responsible for these consequences, but there is need for a better and more extended system of sewers, a more abundant water supply, more rigid restrictions upon building, the enforcement of laws preventing food adulteration, and the providing of cheap and accessible homes in the suburbs.

Philadelphia is most favorable situated, on a salubrious site, much of which is naturally well drained. It covers an unusually large area; the houses are small and scattered, most of them being owned by their occupants and containing but one family. It is a veritable "city of homes" and as Col. Waring states: "In no other city in Christendom does any thing like so large a proportion of the population live by day and sleep by night, in rooms opening directly to the outer air."

Nevertheless the death rate of the City of Brotherly Love is far in excess of what it should be with all these natural and acquired advantages,—higher than that of Albany and Baltimore, neither of which can compare with it in sanitary advantages, and but little less than New York "which is nothing but misery piled up to heaven." A high authority declares that the annual mortality is

fully three per thousand higher than it should be, and that the prevalence of zymotic diseases indicates very bad sanitary conditions. Dr. Janeway says that Philadelphia has proportionately twice as much typhus fever as New York—a disease usually charged to "crowd poisoning," and the mortality records are far from cheering. The explanation for this state of things is found in the long continued neglect of sanitary precautions. In a recent address before the Master Plumbers' Association, a body of men thoroughly familiar with the conditions described, Chief Engineer Ludlow of the Philadelphia Waterworks thus specified the sanitary defects of the Quaker City—"The ground is saturated and polluted, the houses stand in bad soil a foot deep. The water is poisoned and unfit for use, the sewers are elongated cesspools, the highways are reeking with filth." These statements are confirmed and emphasized in a public address by Colonel Waring before the Committee of Hygiene of the County Medical Society, June 12, 1885, in which special reference is made to the defective sewers, overflowing cesspools, ill-laid house drains and bad plumbing—all marked sources of evil. The annual reports of the local Health Officer contain further evidence on the same point. Complaint is specially made of the intolerable cesspool system, without doubt the cause of a large amount of preventable diseases. Some 40,000 dwellings have no public water supply, and nearly double that number have no bathing facilities. Though there are 900 miles of paved streets and 750 miles of water pipe, there are but two hundred miles of sewers, about one-half as many as in New York. This necessitates depending upon cesspools, with consequent pollution of the soil and water supply.

In short, Philadelphia is far from a model of healthfulness, and has much to do to insure to her large population that security from disease which is of vital necessity to every community. Plans are being matured to provide better sewers and more of them, and for a public water supply. But much time and a large expenditure of money will be required to provide these improvements. When it is remembered that a single epidemic of small pox is estimated to have cost the citizens of Philadelphia eighty-two millions of dollars, the wisdom of anticipating future sanitary needs is apparent.

The citizens of Philadelphia have found solace in the low annual death rate reported by the health authorities, for the prevalence of

unsanitary conditions, but vital statistics are not always to be trusted—especially if the population is incorrectly estimated. As a fact, the figures taken by the health officer for 1877–8 and 9 were really larger than the population returned by the census of 1880. In 1884 the annual death rate was 21.55 per thousand, when good authorities declare that it should not exceed 18 per thousand.

The sanitary condition of Cincinnati may be inferred from the fact that only one-sixteenth of its area is sewered and that 200,000 of its population have to depend on cesspools. Until lately the Board of Health was composed of one physician and five saloon keepers. There is a large population living in a class of tenements such as careless and mercenary landlords are willing to provide, while the water supply is polluted by the drainage of half a million people, and of scores of manufactories. The future consequences of these conditions may well excite fears.

Boston resembles New York and Chicago in its large foreign population, occupying tenements of an unsanitary character. Its sewerage facilities are not perfect, though vast improvements have recently been made. Consumption, largely due to excessive soil saturation, is a foe to many households, while children's ailments carry off many victims. The foreign population suffer most from zymotic disease; and in short, Boston is yet far from an ideal city. In 1883 there were 9,740 deaths, including 3,351, or 34.98 per cent. of children under five, while 26.19 per cent. were from zymotic disease.

Baltimore has unusual geographical and other advantages; a temperate climate; a sheltered situation, an abundant market; a profusion of water, moderate prices for fuel, and every kind of agreeable recreation for its citizens. Yet, compared with other cities, Baltimore is not an exceptionally healthy city. Despite a diminished death roll by more than one thousand in 1884 as compared with 1883 and six hundred and thirty less than 1882, and with a long list of deceased septenarians as apparent evidence of salubrity, the fact that of the 8,293 deaths in that year, no less than 3,643, or 43.92 per cent., were children under five years of age, while 2,056, or 30 per cent., were from zymotic diseases, including 1,126, or 13.57 per cent., of consumption, and 560 of pneumonia, is wholly inconsistent with healthy conditions, and it is to be largely explained by the "ancient and abominable system of privy-pits, with their reeking odors above ground, and their far-reaching sat-

uration of the earth beneath residences, whether palace or hovel." Baltimore contains sixty thousand houses, and the same number of sinks upon an area of 9,600 acres. In some places the earth is thickly studded with the latter, which discharge their gases at all levels into the air. The small pox epidemic of 1883 cost $125,-502, nearly twice the expenditure for the health board. Most of the mortality is in the crowded wards. The death rate from zymotic diseases in the 17th ward in 1881 was 15.48 per 1,000 and in the better drained 11th ward only 3.04. Something should be done, and promptly, to remedy these defects.

In St. Louis, during 1883 the the total deaths numbered 7,989; of which 2,575, or nearly one-third, were from zymotic diseases and 3,420 were children under five. Death rate 20.4. The deaths from diphtheria, scarlatina, croup and whooping-cough, aggregated 1,013; from typhoid fever, 135; malarial fever, 273; puerperal fever, 74. The sanitary condition of St. Louis is commented upon unfavorably by residents. There is an alarming prevalence of sewer gas, due to back pressure from tide locked sewers. Dr. Frank R. Fry, of the St. Louis Medical College, says "most of the manufacturers of soda water use well water." All of the wells from Chouteau to Cass avenue, and from the river to 14th street are contaminated by sewage. This statement is confirmed by a circular issued by the Citizens Sanitary Association. They also state that fully one-half the plumbing in the city is defective. In the district beyond Grand avenue where most of the recent building has been going on, there are no sewers, whatever, and many elegant residences have no sign of a sewer connection. The sanitary arrangements of many of the public buildings are in a deplorable condition, notably the Four Courts, the Poor House and the Insane Asylum, the last two very expensive buildings. It is estimated that 75,000 people in St. Louis live in houses without sewerage of any kind.

Of New Orleans Mrs. Ella Wheeler Wilcox remarks that "the Crescent City spreads her unwashed arms and in them fast receives a lover fit — the only lover fit, the Pestilence." Yet through the efforts of the New Orleans Sanitary Association, the health of the city has been vastly improved. During the six years after the great epidemic of 1867, the deaths from yellow fever averaged 158 annually. In the six years following the epidemic of 1878, which destroyed 4,046 lives, the annual mortality from this disease was

only 4.50. Could there be any stronger demonstration of the value of preventive measures. The Sanitary Association was formed in 1878 and these results have been almost wholly brought about by its labors. In New Orleans the natural surface is considerably below the level of the Mississippi, and water is found everywhere from two feet to four feet beneath the surface. Underground drainage is therefore impracticable. Water closets are seldom used, but instead cemented privy vaults are built above the ground-level and are usually approached by a covered gallery from the second story. These vaults have no outlet and must be emptied by scavengers at great expense. Rain water is also stored in cisterns above ground, though some families use the muddy water of the Mississippi supplied by a public company. The kitchen slops are discharged into ditches from six to twelve feet deep and about twenty feet wide, which in turn empty into larger drainage canals reaching to Lake Pontchartrain. As the flow is sluggish, drainage wheels, driven by steam, are used to create a current and to remove the water which settles in the lower portion of the city after heavy rains. It sometimes happens that the business portion of the city will be under water for hours at a time. In hot weather the gutters are constantly flushed, but extensive improvements are necessary and have been proposed.

The sanitary condition of Louisville may be inferred from the steady increase of typhoid fever during the past fifteen years. Dr. J. N. McCormick, Secretary of the Kentucky State Board of Health, states that during the last four years the deaths from typhoid fever have averaged from 106 to 146. There is a considerable area of undrained, marshy and made ground, besides 800 public wells, exposed to surface contamination and cesspool drainage. There are a few sewers, but the houses do not have connection with them, and the vaults in general are very imperfectly constructed. From 7 to 17 cases of fever have been reported in families using certain wells, and analysis of their water showed decided pollution. To supplement this very unsatisfactory statement, the Louisville *Commercial* recently stated that the streets of Kentucky's metropolis had not been cleaned in three months.

The annual report of Dr. DeWolf, Health Officer of Chicago, shows that 12,841 deaths, a weekly average of 240, occurred in 1884, as against 11,555 deaths in 1883 and 10,453 in 1880. There died 6,666 children under five years of age or 53.45 per cent. of

the total mortality; 4,179 of them being less than one year old. 1,208 of the decedents were sixty years and over. The death rate was 19.80 per 1,000 on a basis of 630,000 population. In 1880, there were 5,871 deaths of children under five against 834 persons over sixty and 165 cases of typhoid. This is an exceedingly bad sanitary record, Chicago contains 11,000 tenements, many of them filled with ignorant and uncleanly foreigners. In the 14th ward thirty-six miles of streets are unsewered and more than 36,000 people are domiciled on ground below the sewer level, their privy vaults being filled with water seven months of the year, the soakage from which saturates the house sites with organic filth. Chicago is storing up wrath against a day of vengeance.

A journeyman plumber, in a letter to a local journal, complains bitterly of the difficulty which a competent mechanic has to contend with in endeavoring to get employment there, owing to the preference shown for men who can "throw things together" and go through the form of doing "three days' work in ten hours." The number of such shops in that city, he says, is large. In the same paper a tenant writes that having asked his landlord that a trap be placed under a kitchen sink, so as to stop the stench from the waste-pipe, the landlord declined to do anything, on the plea that the sink "had been that way for fifteen years and never hurt anybody before." All that remained to the tenant was to move out. All this is reported of a city that is the headquarters of the National Association of Master Plumbers, which claims to be the fountain of sanitary skill and knowledge.

The Chicago health authorities have asked an appropriation of $200,000 from the City Council to make preparations to meet cholera. Of the 90,000 buildings, they say 25,000 need constant sanitary supervision. The lesson of the small pox epidemic of 1881 was cited as a warning. There was 6,200 cases and 2,500 deaths then, yet the health board dared not make the facts known for fear of creating a panic and endangering trade.

At Hartford, as a result of a recent inspection by the Board of Health, people have been astonished to learn the extent of their bad sanitary conditions; leaky and choked drains, untrapped fixtures, foundations saturated with fluid filth. Similar defects will undoubtedly be revealed in every other city where a similar inspection is made.

Washington boasts of a low annual death rate among whites

only, but the prevalence of malarial fevers, consumption and other forms of zymotic diseases point to the presence of serious sanitary deficiencies. Of the total deaths, 4,286, no less than 1,669 or 40 per cent. were of children under five, and 1,004 or 23.24 per cent. were from zymotic diseases. Evidently there is room for improvement at the nation's capital.

From this summary of facts regarding the leading cities of the Union, which possess all the advantages that wealth, public intelligence and technical skill and experience can provide, it is evident that smaller towns are in no better sanitary condition.

Providence has an inadequate sewerage system, accommodating only one-third of the population. Most dwellings have "exceptionally defective plumbing," while the water supply is suspicious. It is no wonder that typhoid fever has prevailed in epidemic form and that all zymotic diseases are abundant.

The 40,000 people of Wilmington, Del., depend for their water supply from Brandywine Creek, which is impregnated with refuse from pig-pens, factories, dye-works, cemeteries and out-houses. Typhoid has prevailed at times to such an extent that certain streets had to be closed by the authorities.

Detroit claims to be "among the foremost in healthfulness," yet more than a third of the deaths in 1883 were from preventable diseases. Diphtheria and diarrhœa were especially fatal. The ill-laid sewers are choked with filth, and a leading plumber states that not twenty buildings in the city are properly plumbed; the City Hall, Post Office and Market being especially bad. Toledo has no better mortality record; hundreds of wells are contaminated by leaching cesspools, and that 45 per cent. of the deaths were of children under five speaks volumes. Yet the annual death rate is reported as only 14.25, an absurd figure in view of the prevalence of zymotic diseases. Elizabeth, N. J., reports 45 per cent. of the deaths as children under five. Even horses suffer from the polluted water and bad drainage. Yonkers also shows an unusual proportion of deaths of children:—38 per cent., with 3.88 per cent. of zymotic disease. Albany's water supply has been officially declared to be polluted by sewage. Pittsburg has tenement slums rivalling those of London and New York. Reading is afflicted with offensive cesspools, privies, filthy stables and surface filth. In Indianapolis one-third of the deaths were from "preventable diseases." At Atlanta malarial fevers are more frequent and more

tenacious than formerly, possibly because the sewage is vomited into shallow ditches on flat land a mile from the heart of the city.

From this statement of bald facts it is quite evident that much remains to be done to promote the health futures of American cities, and that the public requires to be awakened to the need of prompt and energetic action in this direction.

III. THE PHYSICAL TRAINING OF WOMEN.

A Report by LUCY M. HALL, M. D., Secretary of the Department of Health.

(Read Wednesday, Sept. 9, 1885.)

Thirty years ago, a college for the higher education of women did not exist. Twenty years ago the first great institution of the kind was established and the whole civilized world was stirred to an interest at once curious, intense, doubtful, expectant. Surely "nothing is so successful as success;" only a score of years has passed, and yet the change wrought in public opinion in this short time might well have been the work of a century. To-day a goodly number of richly endowed and finely equipped colleges for women exist and the list is steadily increasing. One after another the great universities are opening their doors to women (whether front or side doors does not so much matter; the women are admitted,—that is the essential thing.) Even the fact that a brother and sister may now "go through college" together has ceased to astonish, where once it would have shocked or horrified. Certain it is that the girl may go to college with as little opposition or comment as the boy, may be graduated a bachelor of arts, or a master of arts; may choose her profession, equip herself for it and enter upon its duties unchecked; the little opposition which she may encounter from the "unreconciled" acting only as a healthy stimulus to her powers. The press, the rostrum, the pulpit, the bar, all boast brilliant and successful women among their representatives. The ranks of medicine and singing are not without their distinguished women-members; and chairs of astronomy, philosophy, natural science, and mathematics are ably filled by women. At the head of two of our great colleges are learned and distinguished women, both doctors of philosophy. The post-graduate medical college of New York has two women among its lecturers. In short, the question of the mental ability of women to fulfil all the requirements of the highest educational standards has been so successfully demonstrated, both here and abroad, that it may be considered as forever settled. The question of physical capacity to carry on the work which this higher mental equipment necessitates, must now be met; and partly from this fact, partly from the attention which this branch is receiving

in the education of men, the subject of physical training as applied to women is at length vested with a degree of interest commensurate with its importance. It would be a mistake to infer that, for a woman to secure to herself a superior education, and afterward to engage in a professional life based upon this, she requires a greater degree of physical stamina than does she who chooses a life of fashionable dissipation or she who must earn her living in some humble occupation. The life of a college president is not more wearing than that of a struggling "society woman." A professor is not more hard worked than the ill-paid teacher in a crowded public school. The doctor may sleep while the nurse keeps her tireless vigil; and the bookkeeper has a better chance for life and health than the shop-girl or the seamstress. Health and strength are equally a boon to all,—equally necessary to the carrying out of almost any plan of life. There is, however, this difference: when a woman of fashion puts by her shining attire and turns her weary face to the wall, a shattered, nervous wreck, or when a worn-out teacher slips from the ranks and is forgotten, the world says nothing; but let a woman of science drop by the way and the world is not so indifferent. "Ah!" exclaim the croakers, "see what your higher education has done." Therefore, to the latter health becomes a duty as well as a necessity.

The present physical status of American women of all classes is certainly far below what we would wish to be considered as even a medium standard. We see too many girls with flat, narrow chests, protruding shoulder blades, weak and flabby muscles, eyes without lustre, and skins pale and relaxed. These atonic conditions are sometimes associated with a good deal of adipose tissue, but the nerveless, asthenic state of the active tissues gains nothing thereby. There is no robustness, no free and abounding health in them. Many girls grow to womanhood free from disease, and in the normal performance of all their functions, but in whom there is a sad lack of physical power. There is no toughness to their fibre, they are essentially gossamer, and when the strain which would not injure a stronger material is brought to bear on this flimsy web, we find, alas! how slender are the dainty threads, as a cherished life flickers faintly, and passes from us forever; or, at best, a frail sufferer, doomed to life-long invalidism, is spared but to burden a busy world with her helplessness and pain. Many others, from inherited tendencies or especially faulty environment,

or both, are always in a state of semi-invalidism; and again, there are others who, in spite of many influences to the contrary, develop into strong, healthy womanhood.

That woman may possess a high order of physical strength is amply shown by the histories of classes and of individuals, in many different nations. These are too familiar to the general reader to need enumeration here. The grim and mighty women of the Commune "with knitted muscles hard as iron," terrible and powerful in their strength and their fury, were still but women, and why not? The same elements enter into the structure of the muscles, as well as the other tissues, of both women and men. The molecular and cellular arrangement is the same, and the same laws operate to their perfect growth and development. Muscular power in a woman, then, simply indicates the result in her of physiological processes which know no distinction of sex; and if a woman is physically weak, it is because of unhealthy influences that also know no distinction of sex, but would operate the same whether applied to man or woman. The first great influence which militates against the physical development of the girl, and later of the woman, is dress. This influence begins early. Long before the child is in school, she has learned that her pretty (and more or less flimsy) attire must not be subjected to any very severe tests, if she would avoid tatters, upon the one hand, and reprimands from nurse or mamma upon the other. A constant repressant is thus placed upon her spirits. Then, too, the little creature, from consciousness of her personal appearance, engendered and fostered by all this finery and the interest it provokes in those around her, insensibly falls to mincing and not doing as the boys do. She is burdened, heated, and annoyed by superfluous locks, which are always in the way, and, with her fluttering ribbons and wind-tossed hair, the poor little flyaway is often, in her picturesqueness, a picture of childish distress. What mother would hamper her growing boy in this absurd manner? Aghast at the suggestion, she would wisely tell you that boys must have a chance to exercise. As the girl grows older the woes of her attire increase upon her. She is weighted with more and more superfluous material. Her most important internal organs, the very laboratories where all that which is essential to her nutrition and growth is elaborated and perfected, are compressed, pushed upon by other organs, and often crowded out of their normal positions and relations. Their work is thus

interfered with, to a degree little thought of by the nervous sufferer, who is at a loss to know what is the matter with her. Under these conditions free natural movements of the body are also hindered, and healthy symmetrical growth of the different parts rendered impossible. Again I ask, what mother but would instantly proclaim that her son would be a wretched weakling if treated thus? Alas! she has no mercy upon her unfortunate daughters. They may breathe if they can, digest if they can; their blood may circulate if it can, it is no concern of hers. Another defect in the rearing of girls (though this is largely dependent on what has just been noticed) is that too much indoor employment and too little bodily activity are demanded. There are hours of dreary drumming upon the piano each day, of bending over fancy work, or laboring at some accessory of the toilet, when she should be out in the fresh air and the sunshine, building up a vigorous physique for the work which is to come. A saunter in the park or along the street is but a poor offset to the day on his bicycle, on the ball-ground, or perhaps in the hay-field, which has brought her brother home hungry, brown and merry.

More rowing, more horseback riding, more vigorous walking, more tennis, more out-of-door games and interests of every kind, more regulated gymnastic exercises, more of whatever tends to stimulate physical exertion and more fitting conditions under which to make this exertion, are the great necessities for the the growing girls and the young women of to-day. Happily this is coming to be understood and accepted by the wise and thoughtful men and women who direct and control public opinion. Not only have the demands for and of a higher education in women operated as a powerful influence, but men are aware of the fact that the children of feeble gossamer mothers, sons, as well as daughters, must partake of the frail texture of the maternal fibre; so that in spite of the advantages of the boy over the girl in his opportunities for physical development, we still have weak, nervous, narrow-chested men, men whose vital endowments are in every way feeble and faulty. We have come to know that not only for their own personal advantage in life, but for the sake of all coming generations, the physical culture of women is a matter of prime importance. Again we shall see, if we take the trouble to look into the subject, that this culture has its strongest supporters in those who have been laboring for the higher intellectual pro-

gress of women. It is in the leading colleges for women that the greatest enthusiasm exists, and it is here that the necessity for the best instruction, the most approved apparatus and the most systematic effort is recognized. Vassar, Wellesley, Smith, Girton, are all fully alive to the importance of this physical training, and are vigorously putting their convictions to the test of actual work. Valuable statistics bearing upon this subject will in time be obtainable. As yet, it is too early to gather much, except it be the general statement that immediate good results have in many cases been experienced.

The young women, now so thoroughly in earnest in their efforts for physical improvement, will not only come to understand more fully the advantages of the culture which they have received, but they will also be led to deprecate all which they have lost by the lack of proper dress and exercise, and they will see to it that their own daughters do not suffer as they have done. We have reason to believe, that the next twenty years will give as marked improvement in public opinion and action in regard to the higher physical training, as the last has done for the higher mental training of women.

I would add that at Vassar College a most thorough and complete system of examination and registry of the physical condition of each student has lately been adopted. The general history of each girl, together with all points bearing upon her vital powers (*e. g.* capacity of chest, capacity of lungs, muscular strength, etc..) are accurately recorded and rendered easy of reference. After a sufficient time has elapsed, the results of systematically conducted gymnastic exercises, together with whatever of active out-of-door sports the young women can be encouraged to engage in, will be ascertained by a second examination,—a comparison of this with the earlier record giving the result.

PAPERS OF THE JURISPRUDENCE DEPARTMENT.

I. THE CONSTITUTION IN ITS RELATION TO NATIONAL DEVELOPMENT.

BY EDWARD V. RAYNOLDS, OF GRAND RAPIDS, MICHIGAN.

(Read Thursday, September 11, 1885.)

One of the most noticeable characteristics of present political sentiment in the United States is a strong development of national feeling; and, in the absence of well-defined sectional interests, a lessening of local pride and local jealousies. At the same time there is evident a tendency toward the supremacy of the central government and the extension of its powers. It is seen, too, with more or less clearness, that in the workings of this government, the constitution from which it professes to derive its authority, in its current exposition fails to square with the facts; that the actual government at Washington is something quite different from the conception to be derived from the study of the instrument and its authoritative expounders. Furthermore, we have passed the era of universal constitution worship; we no longer hold as an article of faith the miraculous perfection of our institutions. With a clear perception that the constitutional machinery moves with friction, and that it is at least a partial failure in attaining the end of securing good government, the constitution itself is subjected to the most active and rigorous criticism. Suggestions and plans for amendment and revision are widely propounded and vigorously pressed—some of them thoughtful and well considered, more of them crude to grotesqueness—all alike impracticable. It is probably a safe assertion that at no time has direct amendment of the constitution been more impossible than now. Adequate or inadequate, we must live under it as it is, at least until a stronger necessity than any now imminent forces its alteration.

Yet, none the less, has the course of events proved too strong for the constitution. The carefully wrought out, admired system of "checks and balances" is dropping away and revealing the unforeseen prospect of a sovereign Congress. The possibility of ex-

ecutive encroachment was guarded against with jealous care, but nothing in experience or observation could suggest when our government was founded that it was in the legislature that the seeds of supremacy were latent. Not only is Congress increasingly dominant over the co-ordinate departments, but it is more and more the interpreter of the extent of its own domain, more and more does Congress decide for itself what reserved powers it will concede "to the states respectively or to the people."

True, the courts retain their prerogative of pronouncing upon the validity of legislation, but the states are powerless to make effective opposition. The power of deciding rests with the Federal courts, and the usurpation of authority must be flagrant and unmistakable before they will venture to control the legislative discretion. Absolute and final control, however, is only nominally in their power. That a Congress very much in earnest will register what decrees it will, in spite of the Supreme Court, is instructively shown by the history of the legal tender cases. But the courts themselves have not failed to recognize and record the supremacy of Congress. Recent decisions have sanctioned powers impossible to have been asserted a generation ago, powers, too, in some instances, of more than doubtful expediency in their exercise and manifestly capable of intolerable abuse; the culmination perhaps being reached in the invocation by the Supreme Court of "the powers possessed by every sovereign independent nation" as the source of such authority in the federal legislature; a startling proposition in ears trained to the accepted doctrines of political orthodoxy.

It cannot be considered probable that this tendency is altogether due to the supremacy of any one party; or to be reversed, though it may be retarded, by the accession to power of the other. It may be held to be axiomatic that the party in power is in practice the party of broad construction whatever its professions, or its protests when a minority.

It has been maintained by some, who recognize in the conduct of the government a departure from former constitutional standards, that the constitution has undergone a revolutionary change, the fire-baptism of the civil war being the outward and visible sign of its regeneration, conferring the spiritual birthright of sovereignty on the national government. Such radical views, however, find little formal acceptance; the time-honored theories are still

repeated with lip-service; and however inconsistent with facts, the doctrines of the constitution expounders of the last generation are still taught and professed as the scheme of our government of to-day. Names and phrases prove more persistent than the facts which they assume to represent. Probably when giving a decision marking one of the widest departures from early limitations of congressional power, not one of the members of the Supreme Court would have denied the truth of the statement of a dissenting justice that "constitutional powers * * * are subject to no mutations of any kind. * * * What the grants of power meant when the constitution was adopted and ratified they mean now, and their meaning can never be changed except as described in the fifth article provided for amendments."

Let us consider whether this statement is in fact accurate, and what is involved therein.

The work of the Convention of 1787 was very far from being an attempt to construct a political society on *a priori* principles. The convention was made up of practical men, who understood the conditions with which they were dealing, and the limitations which the circumstances of the nation imposed upon them. Much fervid admiration has been lavished upon the inspired ingenuity of the federal system, and the alleged dual sovereignty established. The simple fact is that anything but a federal system would have been impossible of adoption, or a failure in operation. The outlines of the required plan were almost self-evident; the questions were mainly of detail. The Constitution provided concisely for the organization of the government, the general scope of its powers, and the distribution of those powers between the departments. So far as there was any model before them other than that furnished by the existing conditions of the country and the already organized state governments, it was undoubtedly that with which they were already familiar, their own by inheritance, the Constitution of Great Britain. But it is important to remember that the British Constitution, perpetually formative in its character, had not then taken on its present aspect. The constitutional theory of co-ordinate authority of kings, lords and commons was at that time something more than theoretical, and the influence of the king was then apparently the most powerful. Naturally, and especially after the American experience of monarchical tyranny, the executive appeared the dangerous element, most strictly to be controlled.

Had the present advanced state of the British system been before the eyes of our forefathers, it is far from impossible that American constitutional practice would also have taken the shape of cabinet government rather than of committee government.

In all this work of the convention there was but little of invention pure and simple. Some there was inevitably to provide for the lack of existing machinery capable of adaptation, but it is to be noticed that it is precisely in the points where the constitutional provisions were made on *a priori* principles that the Constitution has broken down in working.

It is in this general character of the constitution that the vindication of the statesmanship of its framers consists—in that it was a workable thing. Somewhat in advance of popular sentiment in its national character, it was yet in the inevitable line of the development of that sentiment, and in the main it harmonized with the habits, traditions and prejudices of the people, and the institutions that had grown up among them.

Once adopted, opposition to the constitution was at an end, and was succeeded by blind worshipping admiration that could see no flaw in the object of its adoration. It is easy to see the advantage of this hearty reverence for the constitution while around it crystallized our national sentiment. At the time of its adoption, whatever judgment may be passed upon it in these latter days, it was unquestionably an advance upon anything that preceded it; and it was natural that the jurists and statesmen who assisted in the formation of the government and in giving shape to its principles, should regard the instrument, and their own construction of it as well, as a finality, too sacred for hostile criticism. And yet that it was no such finality our later history has shown clearly. Construction and precedent constantly widened the restricted field of its application; the strife of incompatible social conditions constantly increased in intensity and bitterness, till the overthrow of the constitution itself was claimed and attempted to be exercised as a constitutional right. The form of congressional government had to work itself out; the "irrepressible conflict" had to be fought out, in spite of appeals to the immutable law. No written law can ever be made so clear, so comprehensive, that no room is left for doubt as to its meaning, or for question as to its application. Even could this be done, however solemn its ratification, however unanimous its acceptance, it would prove but a rope of

sand to fetter the life and growth of a nation. The utmost that it can do is to establish a framework of government, and provide in outline for its powers and functions, and this only if such outline accord substantially with the preëxisting national organization. For no constitution devised by human minds makes this national organization. No social organism can accept as the law of its being an empirical constitution made to order as a theoretically perfect solution of the problems of political life. The fact has been too little recognized that the evolution of society involves development of institutions. To the original States, in their newly won independence, but a feeble bond of union was necessary. To those sparsely settled communities, with slow and difficult intercommunication, with self-sufficing local institutions antedating the Revolution, the loose tie of confederation was natural; a centralized administration would have been impossible. But the conditions then obtaining have little application to-day. It is simply impossible that in this highly organized nation the actual constitution should be the same as that of the sparsely settled strip of coast of a century ago. Only in form can it be identical.

The familiar case of the Presidential election is the most conspicuous proof of how the fundamental law is practically amended in spite of the most carefully devised provisions, when those provisions fail to accord with the genius of the people; as it is also the most striking example of the failure of constitution-making on *a priori* principles. What is here emphasized is that this example is an actual alteration of our organic law—not merely that our machinery of nominating conventions and popular elections is not *un*constitutional, but that it is more truly *constitutional* than the empty shell of the Electoral College which alone finds a warrant in the written law. This written law is not the whole of the constitution of the nation. The whole character and spirit of the people is a part of it, and no interpretation of the letter can endure if inconsistent with the life.

It is the most familiar rule in the construction of statutes of doubtful import that the intention of their authors is to be made effectual if it may be. But the authors of this law are not the framers of the instrument, not even the people whose votes ratified and adopted it. "We, the people of the United States . . . do ordain and establish this Constitution." The authority is a continuing one; it is the authority of this sovereign people as now

existing that gives validity to the constitution, and it is the intention of this people that is to be now invoked in the interpretation of the expression of their will. This is only to say that the constitution must be recognized as developing with the development of the nation; that the meaning of the written document is not immutable; that what the grants of power meant when the constitution was adopted and ratified they do not necessarily mean now, and what they now mean they may not mean hereafter. Though the understanding of their own work of the men who composed the convention has been often appealed to as decisive of the import of the instrument, yet in fact their political theories have only a historical interest for us, and affect us only as their influence has affected our political sentiment.

It has been said that a rigid, unvarying constitution is a condition precedent of federal government. But this statement clearly involves the assumption of an immutable government—then equally a condition precedent would be an immutable people, that is, an unprogressive people. A constitution such as ours must have stability enough to resist the temporary eddies of popular feeling, and the self-seeking designs of temporary majorities; but it must also have elasticity enough to admit of adaptation to the great current of social progress if the government constituted by it is to be a permanent one. Only with a stagnant people whose civilization has culminated and advances no longer, can institutions be fixed and unchanging. Such a state of things might be possible in China, in America it is impossible. Progress is change, and what will not bend will break before it.

In our study of history we can easily trace in the long story of the rise and fall of States, the growth and decay of institutions, and understand the causes of their fitness to their own times and their modifications as times changed; but we do not so readily realize that the ages to come after us must have their history of of development and decay; the present is too real, the future too shadowy for us to easily comprehend that what is appropriate to us is appropriate to our own time only. We have by no means solved the problems of government for all time, probably not even in outline. Certainly there is no reason to consider the system of representative federal government the ultimate product of political evolution, even though it may be considered the highest stage yet reached, and itself as yet far from all the development of which it is

capable. It would have been impossible, if not of conception, at least of realization, in earlier times, when the discipline of despotism was needed to foster in half-brutal humanity the seeds of the instinct of social organization and obedience to law, without which, as hereditary nature, civilized communities of free men would be impossible. Equally impossible would such government have been in nations wherein were appearing the first rudiments of civilization, when they could only preserve themselves and the germs of future advancement from destruction by the overwhelming mass of outside barbarism, by making the State an armed camp and every citizen a soldier from his youth up.

So, as our own system is adapted to our own time, it may in turn pass away and be cast aside as a worn-out machine that has served its purpose and fits the new world no longer.

The purport of this whole argument is that the conception of a written constitution as the actual, effective, organic law of a political society is in great measure a fictitious one, though such a constitution may exert a powerful conservative influence and may give shape and direction to the growth of political institutions. Often, indeed, it may prove a drag and a hindrance in the way of healthy growth, stunting and distorting, but never preventing it.

It cannot be sufficient that a way is provided for formal amendment by a new act of sovereign power. Whoever or wherever the sovereign in this country may be, it is at least evident that the despot is one hard to rouse. Since the first years of this century he has been awaked to action only when the earth was shaken beneath his head by the tramp of armed hosts. An authority that will be exerted only when startled by a convulsion threatening ruin to the nation is not one that can adapt the constitution to the gradual progress of political growth. Nor would it mend matters were the process of amendment made more easy. Our State constitutions are enough to give an instructive warning how facility of amendment would open a wide door to hasty and ill-considered action. Even with the present difficulty of alteration, it at least admits of doubt whether some of the amendments now in force had not been better left unenacted.

Here in the United States a new system of government is working itself out. Whether congressional government be better or worse than its chief competitor, parliamentary government, it is at all events the American system, and it is doubtless here to stay.

What forms it will assume in the future, time alone can show. It is as yet only on the threshold of its development, and though in its present stage its workings are little satisfactory, probably in the long run it will prove neither greatly better nor greatly worse than the people of the nation deserve.

Such theories as are here propounded can hardly fail to arouse the bugbear of centralization. Certainly we have tended hitherto toward increased preponderance of the central government and a constantly widening domain of federal legislation. Probably this tendency will continue, but why it should necessarily be an evil is not clear. In the proper field of law there is little that need be local in its nature, and congress need be no more prone to unwise legislation than the legislature of a State. If we must have a choice of evils, one foolish and uniform law may be less objectionable than thirty-eight foolish and discordant laws. It is difficult to understand, for instance, what advantage there can be in having one law of marriage and divorce in New York and another in Connecticut, sufficient to outweigh the notorious evils resulting therefrom. The centralization that is to be shunned is not legistive so much as administrative. Against this our safeguard is to be found elsewhere than in constitutions. Were we obliged to maintain our national existence, or should we be compelled to preserve our internal security by constant armed conflict, administrative centralization might indeed be inevitable. But there seems little reason to believe that the United States will ever become a military nation. In our own hemisphere we have no rivals, and there is little inducement for any European nation, jealously intent on preserving the balance of power, to venture on other than peaceful relations with so powerful an antagonist. The future of this country is doubtless that of an industrial nation, and it will probably be found that such a society, unlike a militant one, tends naturally to decentralize administration.

Whatever the conditions of future political life in the United States, our institutions, including the Constitution itself, must be capable of adapting themselves to those conditions; they must be susceptible of change in correspondence with the changing life of the future world. Such change need not be revolutionary, its possibility is a safeguard against revolution.

II. LAND AND LAW AS AGENTS IN EDUCATING INDIANS.

BY PRESIDENT GATES OF RUTGERS' COLLEGE.

(Read September 11, 1885.)

Land and law and education are terms which convey a sufficiently definite meaning to us all. But with reference to the land of the United States, before the law of the United States, and regarded as the subject of an uninterrupted process of education, good or bad, at the hands of the people of the United States, what is an Indian? What is his legal status? Can he be defined in terms satisfactory to Americans who love justice and believe in fair play? His copper color, his prominent cheek bones, his straight black hair are physical marks easily connoted for placing him among the ethnographic groups into which we divide the inhabitants of our land. If we look for the marks by which his legal status is to be recognized, they will be found to be quite as striking. But we hesitate in attempting to name the anomalous position we have given him before the law. He is not a citizen by local birth. He is not a foreigner. He is not an alien. He cannot by naturalization become a citizen. General Cushing called him a "domestic subject." Daniel Webster applies to the Indians an old legal definition, which would delight the heart of many a greedy frontiersman who covets their property. He calls them "perpetual inhabitants with diminutive rights." On the whole, the term which has found most favor with those who consider the matter, is, "wards of the government."

WARDS OF THE GOVERNMENT.

To the designingly selfish, this term loosely used seems to indicate power on our part to do as we will at present with their land and with the Indians themselves. Who shall call on us for a final accounting before these "wards" attain their majority? And do not statistics and analogies give ground to hope that before that time shall arrive, they will *die out*? With the fair-minded, on the other hand, this term is a favorite one from precisely opposite motives. It seems to indicate that certain duties toward them rest as obligations upon us. President Cleveland voices this feeling when he says in his inaugural address:

"The conscience of the people demands that the Indians within

our boundaries shall be fairly and honestly treated, as wards of the government, and their education and civilization promoted with a view to their ultimate citizenship."

The relation of a man to his wards tests his integrity and his sense of honor. If his wards are not in all respects interesting, attractive or lovable, and have no powerful friends to watch over their interests, the relation becomes a nicer test of the guardian.

It will be the aim of my address, to-night, to examine with you, in the light of this truth, some of our duties to the nation's Indian wards; and especially to look at the agency of such land and law as we give them or deny them in educating these "wards of the nation."

LAND AND LAW ARE ACTIVE AGENTS ON THE FRONTIER.

Land and law I have purposely called *agents* in this process of educating the Indian. They are not mere passive conditions. They are living forces, now at work in the solution of the question, "What is the future of the Indian?" Here in the East, we forget how questions of land and law *lay hold* upon the frontiersman. Land is conservative, a permanent property, a measure of values, here. Not so, in the West. There the chief object of every man is to get land, either to hold or as a basis for speculation. The value of land fluctuates, there, at the caprice of the railroad magnates who by giving or withholding a station or a grain elevator make or destroy a market, and multiply or divide by ten the value of all the land for miles around. There is a fever of activity along the frontier. And its most clearly marked symptom is the feverish thirst for land. No man who has not seen it and felt it can understand the intense power of this wish for lands in the restless life that fringes our unclaimed public domain. To get land, by hook or by crook, seems the one aim of every man you see. The Indian problem, ever since it began to be a problem, has been working itself out on an area ever-shifting westward, with the march of white settlements. Those who have studied it have always found themselves in the din of the border-life, of land seizures, new settlements and the eager strife of the frontier. Land has been and is a powerful agent in the education of the Indian, then, whether we will it or not; and never a more powerful agent than now. Unless we wisely provide land in severalty for the Indians within the next five years, the awful pressure of

immigration and the logic of selfishness unchecked by wise legislation will have left no land whatever.

SOME LAW MUST BE HAD TO SECURE ANY LAND TO THE INDIAN.

Law, too, works its most striking effects at those formative periods when custom and prescription and long occupancy have not settled men's rights and titles. Of course the power of law is best discerned by the thoughtful in the silent steady reign of law that characterizes and conditions the society in which we live here at the East. But the unthinking are most deeply impressed by the processes of the law as it begins to make its power felt in communities where all rights of occupancy are comparatively recent, where are found large numbers of adventurers and criminals who shun the law, and where appeals to brute force have been frequent. The power of law is keenly felt because men have so often felt its absence. In such society as this, law is to begin its educating influence upon the Indians. And one of the first offices of law for the Indian must be to secure a fair amount of land to the Indian, and gradually, but firmly and surely, to teach him that he must use that land wisely and thereby prosper, or that if he persistently refuses to use it, he must *lack*, and if he will do no work when he has been taught how to work, then he must starve.

It is but recently that the land question has begun to press upon us, in America. The overflow of people has moved westward and had the best lands simply for the taking, so freely that they have known nothing of the consideration of the rights of former occupants. We have had an almost unoccupied continent to take under cultivation. History has never before recorded the march of a fully civilized race into and over a continent that was not possessed by another race. The vast migrations westward of Asiatic and European history involved questions of joint occupancy, of the right of conquest, and of the local government of the conquered. But for purposes of settled cultivation, our continent north of Mexico was practically unoccupied. Roaming over thousands of square miles, to hunt and fish had not given to the Indian tribes any such rights in the soil, any such tenure of the land in equity, as comes from the cultivation of the soil, or even from the long occupancy of fixed tracts for pasturing flocks and herds. When the first period of Indian wars that threatened the extermination of the whites had passed, the flood of migration

flowed westward over a whole continent, checked only for a little at the limits of the reservation which had been solemnly guaranteed to the Indians from time to time — then, after chafing a little at the delay, swallowing them up in its onward sweep, and tossing the Indians westward again like driftwood on its foremost waves.

This superbundance of land no longer exists. Men who have seen millions of acres given to a railroad and have felt "there's land enough," as we begin to approach the limit of the nation's landed largess, grow impatient of the possession of *any* land by the Indian. We have all seen the animus of the Oklahoma "boomers," who pass by thousands of acres of land to be had at merely nominal rates — land far better than that which they seek to wrest from the Indian, and encamping on the borders of the forbidden land, defy law and military force, and will do nothing but sigh with passionate covetous longing for Naboth's vineyard, though it does not adjoin their own. Such men waste years in lazy protest against the holding of *any* lands by Indians. If the Indian is to retain any land, he must have more law!

Thus we have clearly before us the white man's greed of land and the red man's lack of law! Potent factors in educating the Indians, these have been! What have they made of him, so far in his history?

It is difficult to say what the Indian was before he was contaminated by contact with the whites. This has been the favorite ground of romance writers. One hesitates to set foot there!

SENTIMENT ASIDE, WHAT IS THE INDIAN.

Yet we seek for facts, not groundless sentiment; and we may safely say that the aboriginal American was *not*, after all, the unfallen man. He had faults and vices. The Saturnian age was not in unbroken sway here in America when Indians were the only visitors to these mineral springs at Saratoga! The tomahawk, the scalping knife, the torture-stake did not come over in the Mayflower! Not *all* the vices of the Indian camp of to-day can be justly attributed to the example or the influence of the whites. It is at least doubtful whether the uncontaminated Indian warrior spent the greater part of his time in romantic thoughts about the

graves of his fathers — certainly he treated very shabbily his living female relatives — his wife, his sisters, his daughters. We should misjudge him if we deemed him so religiously inclined that he spent his days unoccupied in the open air on purpose that he might with untutored mind "see God in storms or hear him in the wind." Too often any open-air abstractions that may have seemed to early observers to engage him as he lay unoccupied in the summer sunshine ought no doubt to be charged in fairness to a trait in his nature which has led to the frontiersman's definition of an Indian's idea of perfect bliss — "to sit on the fence and see the white man mow."

I remember a certain dinner party where the host was a gentleman who in earlier years had been a most intimate friend of Cooper, the great Indian novelist, his companion in frontier life and in European travel, the witness of his literary success and jealous of his fame. The conversation had turned on Cooper and his novels, when a lady said to our host: "Was not a negro servant in Mr. Cooper's family a famous hunter — the original of Natty Bumpo, the hero of the Leatherstocking Tales?" "Oh, no," was the quick reply, "he was a pure creation of Mr. Cooper's imagination. There never was an actual original for him any more than there was for Mr. Cooper's perfect Indians."

Let us deal with the actual Indian. Too much conceded to the romance writers who depict the Indian in elysian tints against elysian backgrounds, would tend to a powerful revulsion of feeling when one visits a western reservation. Designing men are fond of declaiming about the contrast between *such Indians* of romance, and the Indian as he is. And they make the contrast pitiful on purpose that the minds of those who feel the unpleasant jar may be alienated from any serious consideration of the actual needs and the unquestioned and most outrageous wrongs of the real Indian. Yet there is no question that the Indians of this continent were and are far superior to the savage races of most other quarters of the globe. They are well worth saving! Competent judges who have seen much of both classes regard the average Indian as quite the equal in native intelligence and ability of the average negro of the southern plantation. And if you think that there is no foundation in fact for the nobility sometimes assigned to the Indian, let me read you a brief extract from a contribution by an army officer to the *Army and Navy Journal*.

(President Gates here read from the "Century of Dishonor," page 409.)

A FEW STATISTICS.

But we base our consideration of the work that land and law are to do for the Indian upon facts rather than sentiment. We find ground for hope in these facts: 82,000 of the 265,000 Indians have adopted citizen's dress; not counting the 60,000 Indians of the five civilized tribes, 15,000 houses have been built by them; they have under cultivation 230,000 acres of land, more than an acre for every man, woman and child; they raised last year in round numbers a million bushels of corn, nearly as much wheat, half a million bushels of oats and barley, and as many bushels of vegetables. Of stock they own 235,000 horses and mules, 103,000 head of cattle, 68,000 swine, and over 1,000,000 sheep. These figures exclude the products and possessions of the 60,000 civilized Indians, who are now ripe for territorial government and whose possessions would more than double these amounts.

INDIANS ASK FOR LAND IN SEVERALTY.

These results would be very small, of course, for the same number of whites. But they prove conclusively the utter falsehood of the charge sometimes made that Indians will not work and cannot farm successfully. I give them because they indicate *a growing perception on the part of the Indians of the fact that their future lies along the line of systematic labor upon the soil.* Again and again as you read the records of negotiation with the Indians their repeated removals from the reservations assigned them by treaty, you are struck by the eloquent plea of the Indians for "land they can call their own, to make a home on it." The demand for land to cultivate has been much more constant than our people generally have believed. It is pathetic, and provocative of hot indignation, too, if a man loves justice, to read the accounts of the breaking-up by the government of promising beginnings in a fixed agricultural life. And when tribes have been thus torn from the land they had begun to cultivate, and our government in return for lands surrendered has contracted to pay so many thousands of dollars each year in stock and improved implements of agriculture, and has year after year broken this agreement, it stirs the blood to read the petitions of their chiefs that "at least a few hoes" may

be sent them to cultivate their farms! As we see at how many points in the history of one tribe and another a very little direction and assistance, a little wise care for the ignorant, yes, even a little common honesty in dealing with the helpless, would have civilised whole tribes and saved them from generations of savagery, one must blush for his country's good name, and long to do something, even at this late day, to help right such stupendous wrongs!

This desire for land, this readiness to labor on it, again and again expressed in the past, has grown rapidly of late. It is the most promising sign of a possible solution of the problem how to secure the Indian's transition from barbarism to civilization. If the wronged, embittered, almost despairing Indians of certain tribes are to be lifted, as we believe they soon will be, to the plane of hopeful and happy citizenship, it will be by this blessed road of labor, under equal laws, and each man on land which he holds as his own by a personal title. This conviction, growing and welcomed among the Indians themselves, is the most hopeful augury for their future.

For what ought we to hope as the future of the Indian? What should the Indian become?

THE INDIAN SHOULD BE A CITIZEN.

To this there is one answer — and but one. He should become an intelligent citizen of the United States. There is no other "manifest destiny" for any man or any body of men on our domain. To this we stand committed, by all the logic of two thousand years of Teutonic and Anglo-Saxon history, since Arminius with his sturdy followers made a stand for liberty against the legions of Rome. Foremost champions of that peculiarly Anglo-Saxon idea, that supports a strong central government, moves as a whole, yet protects carefully the local and individual freedom of all the parts, we are, as a matter of course, to seek to fit the Indians among us, as we do all other men, for the responsibilities of citizenship. And by the stupendous precedent of eight millions of freedmen made citizens in a day, we have committed ourselves to the theory that the way to fit men for citizenship is to make them citizens! The dangers that would beset Indian voters solicited by the demagogue, would not be greater than those which now attend him, unprotected by law, the prey of sharpers, and too often the pauperized, ration-

fed pensioner of our government, which, when it has paid at all the sums it has promised to pay to Indians, has paid them in such a way as to undermine what manhood and self-respect the Indian had. For one, I would willingly see the Indians run the risk of being flattered a little by candidates for Congress! None of their tribes are destitute of shrewd men who would watch the interests of the race.

DOES OUR POLICY TOWARD INDIANS FAVOR THIS?

Has our Government in its dealings with the Indians hitherto adopted a course of legislation and administration well adapted to build up their manhood and make them intelligent, self-supporting citizens?

They are the wards of the government. Is not a guardian's first duty so to educate and care for his wards as to make them able to care for themselves? It looks like intended fraud if a guardian persists in such management of his wards and such use of their funds intrusted to him, as in the light of experience clearly unfits them and will always keep them unfit for the management of their own affairs and their own property. When a guardian has in his hands funds which belong to his wards, funds which have been expressly set apart for the education of those wards, funds which from time to time he has publicly professed himself to be about to use for that particular end, yet still retains the money from year to year while his wards suffer sadly in the utter lack of proper educational facilities, we call his conduct disgraceful — an outrage and a crying iniquity. Yet our Commissioner of Indian Affairs again and again calls attention to the fact that the government has funds, now amounting to more than $4,000,000, which are by treaty due to Indians for educational purposes alone. Who can doubt that a comprehensive plan looking to the industrial and the general education of *all Indians* should be undertaken at once? I hope that my friend Gen. Armstrong will speak particularly upon this point this evening, indicating definitely certain ways in which these over-due funds should be paid to the Indians in educational facilities.

NO! WE PAUPERIZE THEM.

But it is not merely in neglecting to provide direct means for their education that we have been remiss in our duty to the

Indians. The money and care which our government has given to the Indians in most cases has not been wisely directed to strengthening their manhood, elevating their morals and fitting them for intelligent citizenship. We have massed them upon reservations, fenced off from all intercourse with the better whites. We have given them no law to protect them against crimes from within the tribe—almost none to protect them against aggressions from without. And above all else, we have utterly neglected to teach them the value of honest labor. Nay, by rations dealt out whether needed or not, we have interfered to suspend the efficient teaching by which God leads men to love and honor labor. We have taken from them the compelling inspiration that grows out of His law, "if a man will not work, neither shall he eat!" Why, if a race inured to toil were cut off from all intercourse with the outside world, and left to roam at large over a vast territory, regularly fed by government supplies, how many generations would pass before that race would revert to barbarism?

BY OUR INJUSTICE TOWARD THEM WE DEMORALIZE THEM.

We have held them at arm's length, cut them off from the teaching power of good example, and given them rations and food to hold them in habits of abject laziness. A civilization like ours would soon win upon the Indians and bring them rapidly into greater harmony with all its ideas, if as a nation in our dealings with them we had shown a true spirit of humanity, civilization and Christianity. But such a spirit cannot be discerned in the history of our legislation for the Indians or our treaties with them. We have never recognized the obligation that rests upon us as the dominant, civilized people, the strong government, to legislate carefully, honorably, disinterestedly for these people. We boast of the brilliant adaptations of science to practical ends and every-day uses as the distinctive mark of American progress. Where are the triumphs of social science discernible in the treatment Americans have given to this distinctively American question? We have not shown in this matter anything approaching that patient study of social conditions which England has shown for the uncivilized natives in her domain. The great mass of our legislation regarding Indians has had to do with getting land we had promised them into our possession by the promise of a price as low as we could fix and yet keep them from making border-

warfare upon us in sheer despair. The time of would-be reformers has been occupied too constantly in devising precautions to keep what had been appropriated from being stolen before it reached the Indians. And when it has reached them, it has too often been in the form of annuities and rations that keep them physically and morally in the attitude of lazy, healthy paupers! We have not seemed to concern ourselves with the question, "How can we organize, enforce and sustain institutions and habits among the Indians which shall civilize and Christianize them? The fine old legend, *noblesse oblige*, we have forgotten in our broken treaties and our shamefully deficient legislation.

THE WHITE MAN'S GREED OF LAND AND THE INDIAN'S LACK OF LAW.

The white man's greed of land and the red man's lack of law have long prevented the civilization of the Indian.

Let us recognize this frankly. We shall gain nothing by shutting our eyes to facts. Broken treaties are matters of record. Shuffling with the accounts of amounts due to Indians can be shown from the books. The shameful instructions issued to special commissioners and agents to deceive Indians as to the value of lands the government wished to purchase, and to take by show of force for a few cents an acre vast tracts known to be worth from twenty to a hundred times the price paid — all this is in the letter books and the published reports. The money promised, but not paid, for education and for instruction in farming is still in our hands, a foul blot upon the nation's ledger! The broken pledges of the United States toward the Indians are so numerous that a monotony of shame wearies you at their recital! Let us like honest patriots recognize clearly our country's disgrace in this matter, and then resolve to do what we can to remove it by our fair treatment of these men in the future.

BROKEN PROMISES DO NOT CIVILIZE.

Like many another man who loves his country, I once felt inclined to believe that the friends of the Indian were guilty of exaggeration when they made such sweeping charges. Not long ago, a recital of the facts was made by that noble woman, Helen Hunt Jackson. (Who shall take up that work for the friendless which she would lay down at no other behest than that of the messenger who called her to her crowning?) The title she chose

for her first book upon the Indian question, "*A Century of Dishonor*," I resented, as did many of you, perhaps, as an unjust reflection upon our country's good name. But, my friends, we cannot change the sad facts of history which that eloquent protest rehearses. Let us not try to ignore them! No political adventurer ever broke faith with more recklessness than our Government has shown in its violation of pledges to the Indians. In the light of history, Charles the First is not more clearly guilty of making promises with the deliberate intention of gaining a point and then breaking his promise, than are *we* guilty of having again and again made false promises, to secure our own selfish ends, in dealing with these wards of the government. Follow the case of any one tribe—even of the Sioux, overburdened as they have been since '62 with the terrible stigma of the Minnesota massacre. Follow the record of deceit, broken promises on the part of the government, delayed payments in damaged goods, unjust accounts rendered, repeated removals from their homes, and then see if you can wonder that at last the patience of savages was exhausted. The indignant outburst with which one of their chieftains met a Commissioner who came to renew the old promises so often broken, you will understand. If it was unjust to the individual addressed, as you follow the record it at least shows that the past actions of the Government were appreciated! As the Commissioner arose to speak, the Indian chief, stung out of his stoicism by the memories of past deceptions, springing to his feet, walked to him and cried out, "All the men who come from Washington are liars. The bald-headed ones are the worst of all. You are a bald-headed liar! I don't want to hear one word from you!"

There is an Indian phrase descriptive of heaven which is sadly suggestive. They call it "the place where white men *lie* no more." A bitter experience has led them to this. We have the proverb, current about May-Day, "Three removes are as bad as a fire!" The Ogallalla Sioux have been forced from their homes *eight times* since 1863! Yet they were reported by the Commissioner at their last resting-place as making "simply marvellous progress in civilization."

It is time that the light of science and the heat of a true philanthropic love of the neglected should be brought to a focus upon the Indian question. Let the people's love of justice be awakened,

and let its awakened power be shown in legislation guided by the light of earnest thought and the love of man!

CONDITION OF THE INDIAN BEFORE THE LAW.

Look at the condition of the Indian to-day before our laws. A quarter of a million of our people are utterly without the protection of law. On some fifty Indian reservations, the United States has solemnly pledged itself *not* to administer justice between Indian and Indian. And *this* pledge with a fidelity rarely discernible in our treatment of Indians, our government has kept!

"By the Intercourse Act of 1834, the general laws of the United States as to the punishment of crimes committed in any place within the sole and exclusive jurisdiction of the United States, except the District of Columbia, is extended to the 'Indian Country,'" "but with the express proviso that it shall not extend to crimes committed by one Indian against the person or property of another." The theory, so far as theory governed this act, was that each tribe would preserve order and punish crime by its own laws. The *fact* is that crime on the reservations goes unpunished. In his last Report, the Commissioner of Indian Affairs says, "a law is badly wanted for the punishment of crimes and offenses amongst Indians themselves." "Outside the five civilized tribes in the Indian Territory who have their own legislatures, courts and judicial machinery, and among whom life and property are as secure as they are in the States," — these are the words of the Commissioner — Indians can and do govern themselves well under law when they have been taught by missionaries and by intercourse with the better whites — "the Indian is not answerable to *any* law for injuries committed on one of his own race in the Indian country. The result is that the most brutal and unprovoked murders are committed and the murderer goes unwhipt of justice."

THIS PUTS A PREMIUM UPON CRIME.

As an instance, take the notorious case of "Crow Dog," the Chief who murdered "Spotted Tail" on the Sioux reservation in August, 1881. The First District Court of Dakota, sitting as a

United States Court, held that under peculiar treaty provisions and agreements with the Sioux Indians, it had jurisdiction in the case, which was unquestionably one of murder, and Crow Dog was tried, convicted and sentenced. Upon petition for writ of *habeas corpus* and *certiorari* the United States Supreme Court held that the statutory exception was not repealed by the treaty; that the Court had no jurisdiction over Indian offenders against Indians; that the conviction and sentences were void, and that his imprisonment was illegal (ex parte Crow Dog, 109 U. S. Reports, 556). Crow Dog was accordingly released and sent back to the reservation, in the language of the agent, "feeling of more importance than the highest chief of the nation." We can easily understand what would be the effect on the worst elements of the tribe of such an exhibition of the total lack of law for Indians. The natural results have followed.

Last year a difficulty about some horses arose between Spotted Tail, a son of the chief whom Crow Dog had murdered, and Chief White Thunder, one of the progressive men among the Sioux, who had recently induced a number of his band to begin farming, and whose influence was uniformly for law and peace. Spotted Tail took with him another young Indian, went to the camp of White Thunder, and shot him dead. The agent summoned the murderers. So bold had they become under the influence of Crow Dog's unpunished crime, that the two murderers at once responded, fearlessly coming to the agent for examination. He sent them to Fort Niobrara; but when the report of the case reached the Indian Department at Washington, "this department," says the Secretary, "had no alternative but to reluctantly order the prisoners back to the reservation."

When we remember how shamelessly the United States thus surrenders it high prerogative and proves recreant to its sacred duty of maintaining justice and protecting life on these broad expanses of its territory, the wonder is that such crimes among the Indians are not far more frequent.

SOMETIMES LAW PUNISHES INDIANS, BUT IT DOES NOT PROTECT THEM.

But while the Indian on the reservation has in law no protection for life or property against other Indians, if a difficulty arises with *whites*, no matter who were the aggressors, the Indian learns to

know well the power of the law. There are no Indians on the juries that try him! The local prejudice against Indians is such that nothing like fairness can be expected of juries in the State and Territorial Courts. Every effort is made by the Indians, on this account, to get cases involving their rights or their alleged crimes tried in the United States Courts, although this involves long, tedious and expensive journeys.

Thus the Indian comes to know the law as "prompt and swift to punish, but powerless to protect him."

When Scott wished to depict in the most striking colors the legal favoritism, the lack of justice that disgraced Scotland a hundred and fifty years ago, during the bitter party struggles between Whigs and Cavaliers, he could in no way make it more glaringly evident than by noting the currency of the saying, "Show me the man and I'll show you the law."

Yet this most debasing tolerance of favoritism before the law, we inculcate by example in our doctrines with Indians. This false goddess of justice, blind to the crimes of her favorites and to the rights of all others, we set up before Indians in place of that impartial administration of justice, that keen regard for the rights of every man, which would help to civilize Indians and which thousands of our Anglo-Saxon race have died to make real—to perpetuate in law and government.

But some one may say, "the Indian law is allowed to govern on the reservation because certain deeds in our eyes deserving of the severest penalties are not by them regarded as criminal; and the property of Indians on the reservation is not protected by law against depredations by other Indians of their tribe, because they hold property in common. It does not need protection."

If we suppose that the motives of our legislators have been thus kindly considerate of Indian feelings, let us see how the Indian is treated when he leaves his reservation.

JUSTICE CANNOT BE HAD BY AN INDIAN.

Suppose that an Indian gets some glimpses of the higher planes of civilized life, leaves his reservation, formally severs his connection with his tribe, settles in a civilized community, and by his industry acquires property. Does our law protect him in the enjoyment of it?

Not at all! Iron Eye, an educated Omaha, made quite a sum of money in trade. This he lent to white men, taking their notes. He has been defrauded of every cent of it. His debtors have refused to pay him, simply because he was an Indian and could not appear in court to sue them. Hundreds of Indians have been defrauded in this way. Could we more forcibly take away from them all incentives to labor? It is not enough that we shut out Indians from the privileges of citizenship. It is not enough that we say to hundreds of well-educated, honorable men, many of them ministers, lawyers and physicians of excellent education: You cannot in any way become a citizen of the United States, no matter how worthy of citizenship you prove yourself, because you are strictly speaking a native-born American!

The negroes who are your emancipated freedmen are citizens, and the door of naturalization is open to any foreigner who will live among us six years, no matter how vicious or ignorant he may be; but it is shut and barred against you. This restriction would seem hard enough. But it has not been enough to satisfy the hatred which has pursued the Indian in certain quarters, or to arouse from a calloused indifference the conscience of our people. Not content with this, our Government has said for years:

"There is law and justice for every man in our fair land, no matter where he was born or what his condition, save only for the Indian. There is no law to protect him; there is only law to punish him!"

An Indian cannot appear in court; nor can an attorney appear for him unless especially ordered so to do by the Indian Department. Neither citizen nor foreigner nor "infant," the Indian is simply the victim of the law.

Can he safely wait for such tardy protection as he may get from the Department, thousands of miles away, and overburdened with the incongruous details, which are heaped upon it by the lack of a definite Indian policy on the part of our government?

Let us see.

An agent writes to the Indian Department:

"I knew a most deserving Indian who selected a ranch one hundred miles from the Reservation twelve years ago. He has lived there ever since quietly, has raised seven children, has built a house and a corral. Four years ago he went to Santa Fe to get a title to his land. He paid some scoundrel one hundred and sixty dollars for a worthless paper, the man representing

himself as the United States land agent. I reported these facts, and sent the paper the Indian had received from this swindler to your office, but nothing was done. That sort of work discourages others who are willing and who have both the desire and the ability to become independent men."

Of course the Department could not act in every such case. The fault is with the law, or rather the most culpable lack of law which leaves the Indian open to plunder, even offers to sharpers a bid to plunder him, by refusing him any recognition in the courts.

The amendment attached to the last Indian appropriation bill looks to the punishment by United States law of all Indians for certain grave offenses committed by Indians against one another or against whites. But the Indian is still left without the right to appear in the courts, to sue in his own name, immediately. He may still be plundered with impunity.

PREJUDICE EXAGGERATES EVIL DEEDS OF INDIANS.

And more than that, white men are shamefully indifferent to crimes committed against Indians, while every slightest deviation from absolute peacefulness on the part of an Indian toward whites, no matter under what provocation, is telegraphed all over the land as an "outrage" or a "massacre" by Indians.

In the Associated Press dispatches of Aug. 25th, I noticed this item:

BRUTAL ASSAULT ON A CHIPPEWA CHIEF.

BRAINARD, Minn., Aug. 25.—Hole-in-the-Day, the noted Chippewa chief, while on his way to St. Paul last night, was taken from a Northern Pacific train at a way station, dragged into the woods and so brutally beaten that he is not expected to recover. It is supposed to have been the work of whiskey men, against whom he was going to testify in the Federal Court.

It is whisky that causes nine-tenths of the crimes of violence among Indians. All thoughtful men among them recognize this fact. But who saw any indignant editorials at this outrage upon a chief who was attempting to preserve law and order? Suppose, on the other hand, that a noted leader of the whisky ring, a white man, had been taken from the train by Indians, even when he had been breaking the laws this chief was trying to maintain, and had been treated by Indians as white men treated this Indian. You

and I know well the kind of outcry against "brutes" and "savages" that would have come from many quarters!

Is there nothing barbarous in the dispatch telegraphed to our newspapers three weeks ago: "The United States troops under Lieutenant ——— came upon the camp of Chief Geronimo, and killed a squaw, three bucks and a child." Put it into plain English and it reads that our troops, surprising the camp of this Indian, killed an Indian woman, three half-grown boys and a child. If Geronimo, the savage, had come upon the camp of one of our officers and had thus slain several members of his family, among them a wife and a little child, what a sickening sense of the brutality of the savage would have come over us! Yet one white man who barely escaped with his life after a long imprisonment among Indians in a border warfare says: "I cannot blame them much for their atrocities, because I have myself seen their children killed in cold blood by whites when *they* were victorious."

SO-CALLED "INDIAN UPRISINGS."

Here is an instance of the class which are often reported as massacres by Indians. The facts are from the letter-books of the agent who investigated the occurrence, and are reported by Mr. Herbert Welsh.

A few miles north of the Navajo Reservation, a very quarrelsome man named Mitchell keeps a trading store. The agent had repeatedly warned the Indians to keep away from him, his ugly temper rendering a quarrel almost inevitable if one had dealings with him. Last April some of the Navajo Indians went to him to trade their clip of wool for goods. With a blameworthy disregard of appearances, but merely in jest, an Indian pointed an unloaded gun at some of Mitchell's cattle, and then at a child, his grandson, standing near the store. Mitchell fired at the Indian, with his rifle, killing him instantly. He then fired at another Indian, some distance away, who was not a party to the act, wounding him seriously in the head. Hearing the firing, and knowing well what mercy Indian women may expect at such a time, two Indian women who had been in Mitchell's house were helped by his wife to escape from the back door. As they were climbing the fence in the rear of his house, Mitchell fired again at them, but missed them. The only retaliatory act of the Indians was the theft of a number of Mitchell's cattle, most of which they

afterward returned. But how did this incident appear in the newspapers all over the land? It was telegraphed as a threatening outbreak on the part of the Navajos! It was a case where the lambs had been guilty of disturbing the water below where the wolf was drinking. Was not the wolf fully justified in making an end of them? If they bleat in remonstrance, telegraph it East that the lambs have risen to exterminate the defenceless wolves!

So during the excitement about the Crow-Creek reservation, last spring, some ten Indians went quietly to the upper end of the reservation, to cut and sell some firewood, as it had been their custom to do for years when their spring planting was done. Straightway inflammatory dispatches went out broadcast, like this one from Pierre, Dakota:

"Trouble has commenced in earnest on the Winnebago reservation; the Indians claiming to act under the instruction of Agent Gasman, are destroying the property of the settlers wherever they can. The latter are preparing organized resistance, and *there will be some good Indians before long.* As soon as the first shot is fired, trouble will commence, and Agent Gasman had better call on the government or cease egging the Indians on, for there is a strong feeling against him for turning the savages loose."

The fact was that as soon as the agent learned that these Indians had gone to cut wood, knowing the excited state of the public mind, he ordered them to return, although the place where they were cutting wood was several miles from the nearest white settlers. The Indians obeyed, committing no depredations.

"NO GOOD INDIAN BUT A DEAD INDIAN"?

The threatening phrase in the above disaster, "there will be some good Indians before long," I need hardly remind you is an allusion to that exquisite flower of the Christian civilization of the 19th century, which sums up to the satisfaction of so many men the whole Indian question—the saying, "There is no good Indian but a *dead* Indian." May God forgive the people of our land the frequency with which this shameful sentence has been repeated with a ribald laugh! It breathes the spirit of Cain's answer, "Am I my brother's keeper?" with the added curse of a sneer and a laugh as the blood of our brother cries out against us! It is indeed true, as that noble friend of the Indian, H. H., has some-

where said, that this mocking and heartless cry has done more to raise up friends for the Indians than has any other utterance concerning them! "Is it possible that *this* is the cry that voices the attitude of a civilized people (who give millions for Christian missions) toward the heathen on their own territory?" men have asked And the noblest rejoinder I have heard, came recently from the staunch hero who is at the head of the Carlisle school for Indians, Captain Pratt, who said in substance, "We accept the watch-word. There *is* no good Indian but a dead Indian. Let us by education and patient effort *kill* the *Indian* in him, and save the *man!*"

If we are to do this, we must give to the Indian fair treatment, and protection by law.

GIVE THE INDIAN THE GOSPEL, BUT NOT A "GOSPEL BASED ON A BROKEN DECALOGUE."

The work of Christian missionaries is all-important. No one can estimate it more highly than do I. But as a nation we have no right to say to the Indians: "We will break our treaties with you, we will withhold the funds that are your due. You shall be the only people on earth who may not freely take the broad acres we have wrested from you and make yourself a home and become a citizen. We may give you law to punish your crimes, but we will give you no law to protect your rights—yet you must take all this sweetly at our hands, because we are a Christian people; and we will send you more missionaries!"

Away with a hypocrisy that shuts its eyes to the weightier matters of law and judgment. Let missionaries be sent, and in greater numbers. But there is sound sense and sound theology in the reply recently made by a friend of justice, to ministers who had resolved that "what the Indian needs is not more land but more missionaries." He said, "I suppose the Indian's reply would be, 'give me law first, and I will take gospel afterwards.'" "A broken decalogue seems to have been always a poor foundation for the gospel to rest upon."

As a help to killing the Indian in him, and saving and strengthening *manhood*, then, I say send more missionaries, but first give him his rights as a man! Let our acts show that we believe in both decalogue and gospel.

Protect the Indian from the white man's greed of land and the

red man's lack of law. Give him law, such law as the rest of us have. Give him land—land of his *own*, for each man. Let us cease to juggle with our own conscience and with the Indian's sense of justice by saying, the reason why we take your reservation away from you is because it is now worth something! We steal your lands because they have become worth stealing, don't you see!

Objectively, then, and because of his relations with the whites, the Indian needs the educating influence of law such as protects other men, and of land of his own. And now from the subjective point of view, what elements in the Indian problem, what forces at work from within the tribe, delay the progress of the Indian toward his ultimate goal, intelligent Christian citizenship?

Two peculiarities which mark the Indian life, if retained, will render his progress slow, uncertain and difficult. These are:

1. The Tribal Organization.
2. The Indian Reservation.

THE TRIBAL ORGANIZATION MUST BE BROKEN UP.

I am satisfied that no man can carefully study the Indian question without the deepening conviction that these institutions *must go*, if we would save the Indian from himself.

And first, the tribe. Politically, it is an anomaly—an *imperium in imperio*. Early in our history, when whites were few and Indians were relatively numerous and were grouped in tribes with something approaching to a rude form of government, it was natural, it was inevitable, that we should treat with them as tribes. It would have been hopeless for us to attempt to modify their tribal relations. But now the case is entirely different. There is hardly one tribe outside the five civilized tribes of the Indian territory which can merit the name of an organized society or which discharges the simplest functions of government. Disintegration has long been the rule. Individualism, the key-note of our socio-political ideas in this century, makes itself felt by sympathetic vibrations even in the rude society of the Indian tribes. There is little of the old loyalty to a personal chief as representing a governing authority from the Great Spirit. Perhaps there never was so much of this as some have fancied among the Indians. Certainly there are few signs of it now. A passive acquiescence in the mild leadership of the promising son of a former leader, among the peaceable tribes of the southwest, or a stormy hailing by the young

braves of a new and reckless leader, bloodthirsty for a raid upon the whites—these are the chief indications of the survival of the old spirit.

Indian chiefs are never law-makers, seldom even in the rudest sense law-enforcers. The councils where the chief is chosen are too often blast-furnaces of anarchy, liquefying whatever forms of order may have established themselves under a predecessor. The Indians feel the animus of the century. As personal allegiance to a chieftain and the sense of tribal unity wanes, what is taking its place? Literally, nothing! In some cases, educated but immoral and selfish leaders take advantage of the old traditions to acquire influence which they abuse. On the whole, however, a rude, savage individuality is developing itself, but not under the guidance of law, moral, civil or religious.

Surely, the intelligence of our nation should devise and enforce a remedy for this state of affairs.

THE SENTIMENTAL VIEW OF THE TRIBE.

A false sentimental view of the tribal organization commonly presents itself to those who look at this question casually. It takes form in such objections as this: "The Indians have a perfect right to bring up their children in the old devotion to the tribe and the chief. To require anything else of them is unreasonable. These are their ancestral institutions. We have no right to meddle with them."

The correction for this false view seems to me to come from the study of the tribe and its actual effects upon the family and upon the *manhood* of the individual.

The highest right of man is the right to be a man, with all that this involves. The tendency of the tribal organization is constantly to interfere with and frustrate the attainment of this highest manhood. The question whether parents have a right to educate their children to regard the tribal organization as supreme, brings us at once to the consideration of the family.

And here I find the key to the Indian problem. More than any other idea, this consideration of the *family* and its proper sphere in the civilizing of races and in the development of the individual, serves to unlock the difficulties which surround legislation for the Indian.

THE TRIBE DWARFS AND BLIGHTS THE FAMILY.

The family is God's unit of society. On the integrity of the family depends that of the State. There is no civilization deserving of the name where the family is not the unit in civil government. Even the extreme advocates of individualism must admit that the highest and most perfect personality is developed through those relations which the family renders possible and fosters. And from the point of view of land and law, students generally are at one with Sir Henry Maine when he says, in his latest work, "I believe I state the inference suggested by all known legal history when I say there can be no material advance in civilization unless landed property is held by groups at least as small as families." (Maine, Early History of Institutions, p. 126.)

IT CUTS THE NERVE OF EFFORT.

The tribal organization, with its tenure of land in common, with its constant divisions of goods and rations per capita without regard to service rendered, cuts the nerve of all that manful effort which political economy teaches us proceeds from the desire for wealth. True ideas of property with all the civilizing influences that such ideas excite are formed only as the tribal relation is outgrown.

LABOR MAKES MEN MANLY.

The fact that robbery is said to be almost unknown among Indians within the tribe is largely explained by the fact that property, too, in the true sense of the word, is almost unknown. There is an utter barbarism in which property has almost no existence. The tribal organization tends to retain men in such barbarism. It is a great step gained when you awaken in an Indian the desire for the acquisition of property of his own, by his own honest labor. Every honest day's work done and paid for is a stroke of missionary work! It not only puts the Indian under silent but powerful pledges to preserve the peace and respect law, that so his own property may be safe. It does what is still more important. It cultivates in him those qualities the absence of which most sadly marks the savage. It cultivates the habit of *looking to the future* and of seeking to modify the future for one's self by one's own efforts. And this habit persevered in develops, along a low plane

of action perhaps, but effectively develops that power which is the highest prerogative of man as it is the distinctive mark which sets off man from the animals he governs—*will power* intelligently and voluntarily exercised in subjection to law!

The desire for the acquisition of property is not, as some writers on political economy have represented it to be, the sole motive that sways society or governs the development of mankind. But it is on the whole the mainspring that daily keeps in motion the mechanism of the world's daily routine. It is chiefly the affections and interests of *family life* that take out of this desire for gain its debasing element, its utter selfishness.

THE TRIBAL SYSTEM PARALYZES LABOR.

But the tribal system paralyzes at once the desire for property and the family life that ennobles that desire. Where the annuities and rations that support a tribe are distributed to the industrious and the lazy alike, while almost all property is held in common, there cannot be any true stimulus to industry. And where the property which a deceased father has called his own is at the funeral feast distributed to his adult relatives, or squandered in prolonged feasting, while no provision whatever is made for the widow or the children, how can the family be perpetuated, or the idea of the permanence and the preciousness of this relation become clear and powerful? Yet this is the custom in by far the greater number of the Indian tribes.

IT PREVENTS ALL ACCUMULATION OF PROPERTY FOR THE BENEFIT OF CHILDREN.

Observation has shown that there is a direct proportion between the length of time during which infancy and immaturity are protected, trained and cared for by the parents, and the capacity of the race for education and advancement on the part of the individual. This law holds good among animals and among men. A well-known American author has made this idea of the extended duration of a protected and cherished childhood exceedingly prominent in a recent work, and has based upon it certain of his prophecies as to the "Destiny of Man."

Apply this principle to the tribal law which enforces a division of the father's property at his decease among his adult relatives.

How sadly it shortens the period of protected childhood, already too brief! Homer's picture of the unfriended, hungry, fatherless child, the sport of the rude, neglected of all, is before the eyes constantly on our reservations. Children weazened, prematurely aged, taught by grim necessity to shift for themselves with fox-like craft, are even more common on the reservation than they are in the worst quarters of our great cities. That prolonged fostering care of children which is essential to civilization can be secured only as the family and the home are held sacred.

A series of questions was propounded in a circular recently issued by the Indian Rights Association, for the purpose of taking soundings along a course of proposed legislation. While opinions as to many points suggested are widely divergent, even diametrically opposed to one another, the agents and missionaries who reply are almost unanimous in recommending at once legislation to secure the descent of property to children, to prevent polygamy, and to provide homesteads. You see how these points concerning which there is substantial unity, are the three points which determine the circle. The family circle should be the controlling idea of all legislation and all administrative reform in Indian affairs.

The gravest charge against the tribal organization, then, is that it tends to dwarf and blight the family. Tribal relations interfere with family grouping, and there is no sound progress in civilization until land begins to be held and property to be accumulated by groups at least as small as the family.

Character, too, is worked out in the relations of the family, first; then in the relations of the larger Society, the State.

THE REIGN OF LAW.

The problem before us is, how shall we educate these men-children into that great conception of the *reign of law*, moral, civil and political, to which they are now strangers? Moral convictions are theirs, of course. "A good Indian"—one whom his fellow tribes-men call *good*—"would be recognized as a good man anywhere," says one who has passed years among them. But the conception of that reign of law which constantly presides over all our thinking and doing, for the most part silent, felt only when we attempt to break with it, the growth of centuries coloring all our conceptions and conditioning our life like the atmosphere we

breathe—how utterly foreign is all this to the tribal and reservation life of the Indian! We seek to give them this idea, believing that the idea of law, clearly apprehended and intelligently and voluntarily obeyed, will work a marvelous transformation in them. It is hoped that we may thus do for them in two generations what some other barbaric races have been centuries in accomplishing. How are we to accustom them to a difference as great as that between obeying the order of a chieftain, seen, known, perhaps regarded with affection, or blindly conforming to tribal customs they have never seen broken, and obedience rendered to an impersonal law, emanating from a source thousands of miles away and from an order of things unknown to them?

As the allegiance to tribe and chieftain is weakened, its place should be taken by the sanctities of family life and an allegiance to the laws which grow naturally out of the family! Lessons in law for the Indian should begin with the developing and the preservation, by law, of those relations of property and of social intercourse which spring out of and protect the family. First of all, he must have

LAND IN SEVERALTY.

Land in Severalty, on which to make a home for his family. This land the government should, where necessary, for a few years hold in trust for him or his heirs, inalienable and unchargeable. But it shall be his. It shall be patented to him as an individual. He shall hold it by what the Indians who have been hunted from reservation to reservation pathetically call, in their requests for justice, "a paper-talk from Washington, which tells the Indian what land is his so that a white man cannot get it away from him." "There is no way of reaching the Indian so good as to show him that he is working for a home. Experience shows that there is no incentive so strong as the confidence that by long, untiring labor, a man may secure a *home* for himself and his family." The Indians are no exception to this rule. There is in this consciousness of a family-hearth, of land and a home in prospect as permanently their own, an educating force which at once begins to lift these savages out of barbarism and sends them up the steep toward civilization, as rapidly as easy divorce laws are sending some sections of our country *down* the slope toward barbaric heathenism!

This idea of *the family*, the highest product of modern civilization, yet at the same time the most natural grouping of mankind, is proving, wherever we use it, to be a renovating and healing force for the Indians which surpasses belief. See how Miss Fletcher touched that key, in her labors with the Omahas, by her patient investigations, her complete registration of *all* the family groups, and her endowment of each home-unit, each family, with its homestead, the land that is to prove the *stay* of the home! And note the quick results! In August, 1882, the law for the Omahas was approved. In 1884, the allotments were completed, 76,000 acres having been allotted in 954 separate allotments, to to 1,194 persons, wives receiving their lands with their respective husbands. 55,000 acres remain, to be given in trust-patents to the children who may be born during the years of the trust; for here the government protects the Indian by giving him a patent in in trust, the land to be inalienable for a term of years. Without some such safeguard, chief White Eagle said to Senator Dawes, "my people could not at first live among the whites, they would be picked as bare as a plucked bird, in six months." These trust-patents protect the Indians until they shall have gained some experience in the management of property, and shall have had extended over them that protection of the law and of citizenship which the justice-loving people of our land will not much longer refuse them.

In his report for 1884, the Commissioner of Indian Affairs, after noting the completion of this allotment, the eagerness of the Indians to secure allotments as near as possible to white settlers, for the benefit of their example as well as to be near the markets, and the growing wealth and independence of the Omahas, says:

"I looked with favor on this feeling of independence amongst the Omahas, believing that it was inspired by proper motives.

"Therefore, on their request, made in council, I instructed the agent of the Omahas, to discharge all agency employes at the Omaha Agency on the 30th day of last September, except the school employes and one person who is to remain there to act as physician and farmer and who will look after the interests of the Government and the Indians and keep this office informed of the progress of affairs there, and who will be retained until his services can be dispensed with. The agent was further instructed to turn over to the Omaha councilmen, in trust for the tribe, the mills, shops, dwellings, school-

houses, live stock, and all public property on the Omaha Reservation. While this is an experiment, it is believed that it will prove to be successful, and that the Omahas will demonstrate the wisdom of the methods now pursued by the Department looking to the ultimate civilization and independence of all the Indian tribes."

THE HOMESTEAD AND THE FAMILY CIVILIZE.

Thus the family and a homestead prove the salvation of those whom the tribal organization and the reservation were debasing. It was a step in advance when Agent Miles began to issue rations to *families* instead of to the head men of the tribe. Every measure which strengthens the family tie and makes clearer the idea of family life, in which selfish interests and inclinations are sacrificed for the advantage of the whole family, is a powerful influence toward civilization.

In this way, too, family affection and care for the education and the virtue of the young are promoted. Thus such *law* as is necessary to protect virtue, to punish offences against purity, and to abolish polygamy, will be welcomed by the Indians. These laws enforced will help still further to develop true family feeling. Family feeling, growing stronger and stronger as all the members of the family work on their own homestead for the welfare of the home, will itself incline all toward welcoming the reign of law, and will increase the desire of all for systematic education. The steadying, educating effect of property will take hold upon these improvident children of the West, who have too long lived as if the injunction, "Take no thought for the morrow," in its literal sense, were their only law.

We must as rapidly as possible break up the tribal organization and give them law, with the family and land in severalty as its central idea. We must not only give them law—we must *force* law upon them. We must not only *offer* them education—we must *force* education upon them. Education will come to them by complying with the forms and the requirements of the law.

LET INDIANS LEARN LAW BY OBEYING AND EXECUTING LAW.

The Indian courts already organized in connection with some of the agencies have a high educational value. As policemen, as road-masters, as mail-carriers, as commissioners to appraise property and set their people on the road toward civilization, Indians

are already fitting themselves for citizenship by discharging the duties of citizens. As jurymen, as judges, quick to discern the equity of a case and often detecting at once the crucial point by their familiarity with Indian life, where a lawyer or a judge less familiar with Indian customs would waste hours in the effort or miss the point altogether—in this practical dealing with law, as administrative, executive and even as judicial officers, whose decisions are subject to revision, the Indians will be more rapidly civilized than by generations of exhortation on the days when they might be gathered in abject, huddling crowds, to receive rations as government alms.

This method of educating Indians by land and law will take patience and will involve expense. But, on the lowest plane, financially, it will pay. Every soldier we keep upon the plains costs us about $1,000 a year, say the Washington officials. The chief, we might almost say the only, demand for their presence there is to watch the Indians. The same amount of money systematically spent in the wise effort to control the Indian by regard for law from within, instead of compelling him by brute force from without, while it would civilize him, would be a saving of expense to us.

It is easy to attack the tribal organization from the political point of view, as a petty foreign power tolerated upon our territory in defiance of the sovereignty of the United States. Congress in this view of the case decided, some fourteen years ago, no longer to treat with the Indians as tribes. But a far greater objection to the tribal organization is that it prevents the development of the family, and shuts out the reign of law. These agglomerations of human beings, neither citizens nor aliens, regarded by our law neither as as independent powers nor as individual persons responsible to our laws, are utterly foreign, not only to the spirit of our government, but to all conceptions of government by law. These foreign masses in our body politic must be comminuted, broken up into family groups and individuals. Only so can they be assimilated into the organic life of our land. And this trituration of the tribal mass into a component and homogeneous part of the larger state must be accomplished by the agency of *law*. Put the Indian under law at once. Retain the agent and the agency courts as a temporary makeshift for a little time, with power to accommodate somewhat to particular cases and to the peculiar life of the Indians the strictly impersonal law that comes from a source

thousands of miles away. But is there not much less danger to the best interests of the Indian from a law, strange to him, yet on the whole well adapted to the conditions of the territories in which he lives, than in the lack of law or in the continuance of that special guardianship which keeps whole tribes in the condition of government-fed infants? Let them have more of protection by law, less of enforced *infancy!*

Let them learn to walk by walking, although they get some falls. There is a vast civilizing power in the object-teaching of the simpler forms of law such as General Milroy has with brilliant success introduced upon the Yakima reservation in Washington Territory. The transforming power of our legal and political institutions, our educational system and our laws, upon certain immigrants who come to our shores hardly more civilized than the average Indian, should make us hopeful. The children of such immigrants are our law-abiding, industrious citizens.

THE RESERVATION SYSTEM IS A CRYING EVIL.

But the children of such immigrants have been brought up in an atmosphere of Christian civilization. They have become fully civilized by that attrition with civilized men which soonest and most surely leads to civilization. The mightiest of all teaching forces is example—constant association with those whom they wish to imitate transforms men as does no other process.

From this all-powerful civilizing force—example—we carefully exclude the Indians. We herd them by themselves, on vast, vacant reservations.

While we profess to desire their civilization, we adopt in the Indian reservation the plan which of all possible plans seems most carefully designed to preserve the degrading customs and the low moral standards of heathen barbarism. Take a barbaric tribe, place them upon a vast tract of land from which you carefully exclude all civilized men, separate them by hundreds of miles from organized civil society and the example of reputable white settlers, and having thus insulated them in empty space, doubly insulate them from Christian civilization by surrounding them with sticky layers of the vilest, most designedly wicked men our century knows, the whiskey-selling whites and the debased half-breeds who infest the fringes of our reservations, men who have the vices of the barbarian plus the worst vices of the reckless frontiersman

and the city criminal, and then endeavor to incite the electrifying, life-giving currents of civilized life to flow through this doubly insulated mass! If an Indian now and then gets glimpses of something better and seeks to leave this seething mass of in-and-in breeding degradation, to live in a civilized community, give him no protection by law, and no hope of citizenship. If he has won his way as many have done through the highest institutions of learning, with honor, tell him that he may see many of our largest cities ruled by rings of men, many of whom are foreigners by birth, ignorant, worthless, yet naturalized citizens, but that *he* must not hope to vote or to hold office.

If he says "I will be content to accumulate property, then," tell him, "you may do so; but any one who chooses may withhold your wages, refuse to pay you money he has borrowed, plunder you as he will, and our law gives you no redress." Thus we drive the honest and ambitious Indian, as we do the criminals, back to the tribe and the reservation; and cutting them off from all hope of bettering themselves while we feed their laziness on government rations, we complain that they are not more ambitious and industrious!

Christian missionaries plunge into these reservations, struggle with the mass of evil there, and feeling that bright children can be be best educated in the atmosphere of civilization, they send to Eastern institutions these Indian children plucked like fire-stained brands from the reservations. They are brought to our industrial training schools. The lesson taught by the comparison of their photographs, when they come and when they go, is wonderful.

The years of contact with *ideas* and with civilized men and Christian women so transform them that their faces shine with a wholly new light, for they have indeed "communed with God." They came children; they return young men and young women; yet they look *younger in the face* than when they came to us. The prematurely aged look of hopeless heathenism has given way to that dew of eternal youth which marks the difference between the savage and the man who lives in the thoughts of an eternal future.

THE RESERVATION IS A TRAINING CLASS FOR CRIMINALS.

Yet such is the effect of maintaining our tribal and reservation policy that we send back these young men and women not to a life where a *home* and a *family* could be transformed by their in-

fluence, but into this *tribal mass*, sodden in the prejudices of centuries of heathenism, where they gasp in vain for civilized occupapations and example, until the pressure of race-instincts and the waves of ridicule too often to close over their better hopes and habits and aspirations as the waves of the ocean close over the life-hungry face of a drowning man! No wonder that when the Lake Mohonk conference of friends of the Indian called upon Captain Pratt to speak of the condition of these pupils of the Carlisle school who have *gone back* to the reservations, he arose with a great groan and with the exclamation, "That eternal 'go-back!' That is the hopeless side of efforts at Indian education."

Why, when we have educated a few dozens or hundreds of these children in something like the ways of civilized life, what are they, the youngest among so many! We send them back to the reservations. But by our infamous treaty stipulations, we are supposed to be bound to send back with them all the criminals of the tribe. Suppose the advent upon a reservation on the same day of a boy from an Eastern school, half-abashed before his aged relatives to whom he seems by dress, speech and manner almost a deserter from his race, and of Crow Dog, the released murderer, for six months a prisoner, constantly talked of in the tribe, known to be a criminal deserving of punishment, but returning now, bold, blatant, defiant of law and of white men, and allowed to run at large in the reservation, horsed and armed, bragging, and eager to form a band of reckless young men to follow him in deeds of lawlessness. Which of the two, the educated boy or the criminal chief, is likely to have the larger crowd of listeners and imitators, among the young men who have all the savage, lawless instincts of their ancestors?

We are in the last quarter of the 19th century. Japan has opened her ports. China's wall has fallen. But American legislation perpetuates these sinks of iniquity, the Indian reservations, where human being are pauperized by unearned and unnecessary rations, and are condemned to association with barbarous armed criminals who become perforce the heroes and examples of the young.

Break up the reservation. Its usefulness is past. Treat it as we treat the fever-infected hospital when life has so often yielded to disease within its walls that we see clearly the place is in league with the powers of death, and the fiat goes forth, "though this

was planned as a blessing, it has proved to be a curse; away with it! Burn it!"

SETTLE WHITES AMONG THE INDIANS.

Guard the rights of the Indian, but for his own good break up his reservations. Let in the light of civilization. Plant in alternate sections or townships white farmers, who will teach him by example. Reserve all the lands he needs for the Indian. Give land by trust-deed in severalty to each family.

Among the parts of the reservation to be so assigned to Indians in severalty, retain alternate ranges or townships for white settlers. Let only men of such character as a suitable commission would approve be allowed to file on these lands. Let especial advantages in price of land, and in some cases let a small salary be offered to induce worthy farmers thus to settle among the Indians as object-teachers of civilization. Let the parts of the reservations not needed be sold by the government for the benefit of the Indians, and the money thus realized be used to secure this wise intermingling of the right kind of civilized men with the Indians. Over all, extend the law of the States and territories—and let Indian and white man stand alike before the law.

It is my firm conviction that a plan of this kind can be devised, which will meet a response from settlers of the right stamp quicker and more generous than could be accounted for by the mere money-inducements offered.

There is a great mission work to be done by laymen and farmers for these Indians. The spirit that settled Kansas in the interest of liberty and fair play for all men, however despised, is not yet dead in our land. And while I see clearly many difficulties in the way, I believe they can all be met in a plan that shall gradually substitute homes and family life for the tribal organization; settlements of mingled whites and Indians for the reservation system; and the reign of law, with the duties and responsibilities of citizenship, for the state of unprotected anarchy to which we have hitherto condemned the Indian.

SUMMARY OF PRINCIPLES AND PROPOSITIONS.

Some results of our discussion of this subject may be set forth in the following propositions:

1. The aim of legislation for the Indian should be, to make him as soon as possible an intelligent, useful citizen.

2. To this end, his *personality* must be respected. His individuality must be strengthened.

3. The rule of law is essential to this. The tribe enforces no law. What law shall we give him?

4. The family has always been the true unit of the State, the best school fof the development of character. Legislation for the Indian should begin with the strengthening and purifying of his conception of *the family.*

5. That family life may be fostered and protected, and through it the individual may be developed into intelligent manhood, the tribal relation should be weakened—as soon as possible destroyed. No more of the "*imperium in imperio.*" Treat with Indians as families and individuals. Extend the law over them as individuals. Give them land as individuals. Punish them as individuals. Give them the right to sue immediately.

6. The *home* is the altar of the family. Secure for the Indians titles to land for homesteads before it is too late. Give them land in severalty with a protected title. Let each family profit by the labors and the virtues of its members.

7. The Indian reservation prevents all these desirable results—insulates Indians from civilization—cultivates vice—is a domain for lawlessness licensed by the United States.

8. The reservation must go. But the rights of the Indians must be protected. Where the reservations include more land than the Indians need for ample homesteads, the Government, making allotments of the best to the Indians in severalty, should open the rest to settlers for the benefit of the Indians, using the money thus obtained to promote their education and civilization.

9. The ideal plan (which I believe to be also a practicable plan) is, to reserve alternate sections, ranges or townships among the Indian allotments for white settlers of character approved by a philanthropic and experienced commission. Offer special inducements to reputable white settlers to occupy these farms. Thus "object teaching" in thrifty farming will go forward on a large scale.

10. A comprehensive, systematic plan of general and industrial education for *all* Indians should be at once entered upon. The four millions of money furnished for this end, but long retained in our national treasury is a national disgrace.

11. Appropriations for Indians should be rapidly decreased along

all lines that lead to pauperism, and increased along all lines that tend toward educated self-support.

12. The agent is the pivot of the present system. While it is continued, the best men who can be obtained should be kept in their responsible positions; and to this end, agents should be far better paid.

13. Christian missionaries, teachers and farmers among the Indians, and the awakening of moral thoughtfulness among our people about Indian rights, are the means to the civilization of the Indian; proper legislation devised and enforced by these must be the method; and the intelligent citizenship of the Indian will be the result.

III. ARBITRATION OF LABOR DISPUTES.

BY REV. WASHINGTON GLADDEN, OF COLUMBUS, OHIO.

(Read Sept. 11, 1885.)

Whether the appeal to reason is wiser than the appeal to force, in the settlement of disagreements between contracting parties, is a question that should not long detain us. If this is a reasonable universe—if the proper relations of human beings admit of rational statement and definition—it must be that no dispute is rightly settled until it is settled in accordance with reason. The tardiness with which the combatants in the long-standing feud of labor and capital have approached this solution of their difficulty; the persistency with which both sides have adhered to measures of force, are notable and deplorable. Especially applicable is this remark to our own country. Less progress has been made toward the peaceable solution of labor disputes in this country than in England or France or Germany. The relations of employer and employed in the United States are, as a rule, less friendly than in the European countries. Those "effete despotisms," over which we are so fond of crowing, are, apparently, a full generation nearer to a satisfactory settlement of the labor question than is this democratic commonwealth. Let it be confessed, as the opprobrium of our civilization, that we are in the midst of a fierce and destructive and seemingly interminable warfare between masters and workmen; that every newspaper contains tidings of some new outbreak; that strikes and lock-outs are matters of daily occurrence, and that an uneasy apprehension of trouble continually pervades the factory and the counting-room.

Why is it that the system of industrial partnership, by which the workman is given, in addition to his wages, a stipulated share of the profits of the business, has been for many years in successful operation in scores of large establishments in France and Germany, while here in America employers almost universally regard the scheme as visionary. How happens it that it is in France, and not in America, that an association of employers has been formed for the purpose of collecting and publishing facts relative to the working of this method of profit-sharing? Why should Germany rather than the United States have given the world that school of

political economists which finds its motive in words like these of Roscher: "If in the long run the exchange of labor against wages is to be an equitable one, the master of labor must, so to speak, incorporate part of his own personality into it,—have a heart for his faithful workmen, and thus attach them to himself?" How comes it about that Old England, instead of New England, has reared a class of great employers like Forster and Brassey, and Henry Fawcett, and Mundella, and the Tangye brothers, who are recognized champions of the rights of the laboring classes, and who realize the best side of Carlyle's conception of the chivalric function of the captain of industry? I am not ignorant of what has been done for their work-people by a few philanthropic employers in this country; but it remains true that, as a general rule, the relations of masters and men are either strained or hostile, and steadily growing worse. The reason of this unhappy strife in republican America is worth seeking. Can it be that this is one of the natural fruits of our "fierce democracies;" that the doctrine that one man is as good as another, tends to destroy a generous consideration of the strong for the weak, and to awaken in the poor an envious defiance of the rich? Is it true that the reason why it is easier for European than for American employers to come to terms with their workmen lies in the fact that the Europeans more generally recognize the force of the maxim, *noblesse oblige*,—a maxim which seems to find no standing room in a pure democracy? Here are questions for the humane economist, and the student of comparative politics. I offer no opinion; I only refer to the phenomenon as one that may well be studied.

The method now prevalent of settling labor disputes is the method of coercion, through strikes by employees and lock-outs by employers. Very little reason is employed on either side. The men make their demand for an increase of wages, or for some other improvement in their condition,—or the master gives his notice of a reduction in the pay, and at once, without further parley, the issue is joined and the strife begins; the men go out or the master locks his doors, and the question who can stand out longest is all that remains to discuss. The former chief of the bureau of statistics in Ohio thus describes this proceeding:—

> How do strikes originate? The history of one in its general features is the history of all. A number of men working for a firm or company become imbued with the belief that they should have an advance of wages; a meet-

ing is called for some evening, the matter is discussed, and finally a committee is instructed to respectfully demand of the employers an advance of wages. The demand is refused or ignored, and no attempt at communication with the men is made by the employer. The men become morose and sullen, another meeting is held, and a strike is resolved upon. The men strike, the works are closed for a month or more, one of the parties weakens, a request for a conference ensues, the difficulty is adjusted and the men return to work. It matters not which side is defeated; ill-feeling and a desire for another test of endurance has obtained a foothold, and the war continues until either the employees are all dead or scattered, or the employers withdraw from the business. If a demand comes from the employers for a reduction of wages the proceeding is practically the same with the same results.

This seems on the face of it an irrational and barbarous operation; and no amount of investigation can give it a better look. It is simply absurd that two parties, the welfare of each of whom depends on harmonious coöperation with the other, should suppose that the welfare of either can be promoted by ceasing to coöperate and beginning to fight. War is generally a senseless business: and this war between capital and labor, now waged so widely and so fiercely throughout the country—in which so many fortunes are wasted, and so many families made destitute, and so many brutal deeds perpetrated, and so many honest and thrifty men and women started on the road to pauperism and crime—is of all wars the most iniquitous and monstrous. It is time that the intelligence and conscience of both employers and workmen were brought to bear upon this problem, to see whether a better method of settling labor disputes cannot be found.

There will be no difficulty in finding a method far less expensive, and far more advantageous to both parties than war can possibly be. Such a method has now been in operation in France for more than three-quarters of a century; for it was France, under the first Napoleon, that first established the principle of arbitration between employers and employed. The law of 1806 creating courts of conciliation, entitled "Councils of Wise Men" (Conseils des Prud'hommes) thus defined their functions: "The Conseil des Prud'hommes is established in order to put an end, by means of reconciliation, to the small disputes which arise daily, either between employers and workmen or between foremen and workmen and apprentices." Originating in a petition of the workmen of Lyons, these councils have gradually spread over the whole of France; at the present time there are about 150 of them in the

country. To these councils some official and legal character is given by their constitution. Six of the councillors are chosen by the workmen and six by the masters; but the president and vice-president of the court are appointed by the government. The decisions of the court have also a legal force; in all matters where the amount in dispute is less than 200 francs its jurisdiction is final; in larger matters an appeal may be taken to the chamber of commerce, which in French cities is also a court. While, therefore, it is optional with the disputants whether they shall submit their quarrel to the arbitration of their council, they are legally bound if they do appeal to abide by the decision. It is, moreover, the duty of the council to act as a committee of conciliation when disagreements arise, without waiting for the submission of the case to them as arbitrators; and the best part of their work is done in this way—not in settling, but in preventing quarrels. The effect of this scheme upon the industrial and social development of France has been most beneficent. In a speech before the English House of Lords, Lord Brougham stated that during the year 1850 no less than 28,000 disputes had been referred to the Conseils des Prud'-hommes, of which 26,800 were satisfactorily settled; and in 1870 Lord Lyons reported to his government as follows: "To give an idea of the success of the Conseils des Prud'hommes in terminating disputes by reconciliation, it may be mentioned that in all industrial centers in which such courts exist they effect a reconciliation in 95 out of 100 cases brought before them."

In Belgium the same device has been adopted, and, although the operation of these Belgium courts has been complicated and impeded by giving to them criminal as well as civil jurisdiction, yet they have proved their value in that country also. Austria, by a general law enacted in 1859, established a system of arbitration courts throughout the realm. They are composed, as in France, of employers and employees, each elected by their class; but the workmen composing them are paid day wages for their services by the municipality.

All these continental courts of arbitration are thus armed with legal authority; and there is more of formality and of force in their practice than English or American workingmen would relish. In England, Parliament has provided by legislation similar legal machinery for the arbitration of labor disputes, but the legislation has proved a dead letter,—neither masters nor men being inclined

to avail themselves of the provision. The principle of voluntary arbitration, however, has been introduced in that country with the happiest results. Several attempts in this direction had been made with more or less success when, in 1860, after a long period of strife between masters and men in the hosiery trade at Nottingham (three strikes having taken place within a year), Anthony J. Mundella, then partner in a firm employing 3,000 workmen, took steps toward the introduction of the principle of arbitration. A committee representing the employers was appointed to confer with the men, and Mr. Mundella tells the story of the first meeting:

> We three met perhaps a dozen leaders of the trade-union, and we consulted with these men; told them that the present plan was a bad one, that it seemed to us that they took every advantage of us when we had a demand, and we took every advantage of them when trade was bad, and it was a system mutually predatory. And there is no doubt that it was so; we pressed down the price as low as we could, and they pressed up the price as high as they could. This often caused a strike in pressing it down, and a strike in pressing it up; and these strikes were most ruinous and injurious to all parties, because, when we might have been supplying our customers, our machinery was idle; and we suggested whether we could not try some better scheme. Well, the men were very suspicious at first, indeed it is impossible to describe to you how suspiciously we looked at each other. Some of the manufacturers also deprecated our proceedings, and said we were degrading them and humiliating them, and so on. However, we had some ideas of our own, and we went on with them, and we sketched out what we called a board of arbitration and conciliation.

This board consisted of 11 manufacturers and 11 operatives, the former elected in a public meeting of their own body, the latter chosen by the workmen in the different branches of the hosiery business. All these deputies are eligible for re-election at the annual election in January. The full board chooses a president, vice-president, two secretaries and a committee of inquiry for purposes of conciliation. Regular quarterly meetings of the board are held, but special meetings may be called at any time by the president, the business of the meeting being specified in the call. All complaints must be submitted in writing at least one week previous to the meeting; and notice of any advance or reduction in wages, to be considered by the board must be given in writing a month beforehand. When the board fails to agree upon any question an umpire is chosen to whom the whole matter is referred.

It will be observed that this scheme is purely voluntary; the board is armed with no legal powers; its decisions rest upon the good faith of the parties to the controversy. And what has been the result of this experiment? After ten years Mr. Mundella sums up as follows: "Since the 27th of September, 1860, there has not been a bill of any kind issued. Strikes are at an end also. Levies to sustain them are unknown, and one shilling a year from each member (of the trade union) suffices to pay all expenses. This—not a farthing of which comes out of the pocket of their masters—is equivalent to a large advance of wages. I have inspected the balance sheet of a trade union of 10,300 men, and I found the expenditures for thirteen months to amount to less than 100 pounds." From this good beginning at Nottingham, arbitration has spread to many other trades, and to various parts of the kingdom. In the iron trade, in the coal trade, in the potteries, in the building trades, the method introduced by Mr. Mundella, with some variations, has been found to work successfully. And in many trades in which no permanent courts of arbitration have been formed, the method is more and more employed of creating temporary boards when disputes arise, or of calling in experts to compose the quarrel. Mr. Mundella's services have often been in request for this purpose; so completely did he identify himself with this principle, that the workingmen of Sheffield long ago recognized him as their champion, and summoned him to represent them in Parliament, where he has made for himself a good name as a wise and just legislator. The fact that a great manufacturer should be chosen as the representative in Parliament of the workingmen of Sheffield is in itself a striking fact. I trust it is a harbinger of a new day. In England, certainly, this method of settling labor disputes has become so firmly established that it would be quite impossible to return to the savagery of a quarter of a century ago. "The spirit of these systems has operated," says D. J. Ryan in a little book to which I am indebted for most of these facts; "and now in the most important and wide-spread industries of that country strikes are a relic of a past barbaric era. If they are not entirely abandoned, they are, at least, rarely heard of."

In our own country very few attempts have been made to introduce arbitration, but some of these have been signally successful. The cigar manufactory of Straiton & Storm in New York city,

employing over 2,000 workmen, has organized a board of arbitration, in which the firm is represented by two of its members and five foremen, and the workmen by seven of their own number. The constitution and by-laws of their tribunal are given by Mr. Ryan in his excellent little book, and the employers testify, in a letter to him, written after five years of practical trial, "that the principle of arbitration, and the results following therefrom have proved advantageous to both themselves and their employees far beyond anything that they had hoped for it at its inception."

In Pennsylvania, the law known as the "Wallace Act," and in Ohio, a law proposed by Mr. Ryan, make provision for the creation of tribunals of this nature; and in Pennsylvania the machinery thus supplied has been used repeatedly with good results. These tribunals are in no sense courts; what Mr. Ryan says of the Wallace act is equally true of the one of which he is the author: "The law simply gives official birth to the tribunal, and invests it with power of investigation of disputes where they are voluntarily submitted. . . . The submission of all questions under this law being purely voluntary, and the awards having no legal or compulsory force, its principal value is in giving character, official bearing and system to tribunals acting under it." These laws are simply humane endeavors to show the combatants how they may come to terms.

This rough sketch of what has been done proves that the arbitration of labor disputes is practicable. The way of strikes and lock-outs is not the only way of settling such quarrels; there is a better way, and it is not at all difficult to understand. The iron-workers of Cleveland, for example, might join with their masters in forming a tribunal to which all questions about wages, hours of labor, etc., shall be referred. It might consist of fourteen members, seven chosen by the masters and seven by the men. The tribunal thus constituted should at once proceed to select an umpire, outside its own number,—some discreet and judicious man, to whom, in case of disagreement, it might submit its questions. It should also choose as a committee of conciliation four of its members, two employers and two workmen, whose duty it should be to investigate difficulties in their earliest stages, and to give such advice as might bring the parties to an agreement before an open rupture should occur. All claims referred to the full board or to the umpire for arbitration should be put in writing,

and no lawyers should be allowed to appear before the board. It is not by the methods of litigation, but by frank and friendly conferences between masters and men that these deliberations should proceed. It should be stipulated, also, that the decision of the board or the umpire should be in honor binding as soon as rendered; the device of referring the award to the parties for ratification is not to be commended. It is doubtless better that the umpire should be chosen beforehand, when the choice must be made in the midst of a dispute it is sometimes difficult for the parties to agree.

That this simple and inexpensive machinery would cure many costly quarrels and prevent many more is the verdict of a large experience. It is certainly time that it were set in operation. The waste and suffering caused by these labor disputes ought no longer to be endured. Andrew Roy, the former inspector of mines in Ohio, declares that the losses through strikes to the miners of Ohio alone during the past twelve years have averaged not less than $300,000 a year, — a total loss of $3,600,000 to the workmen of one State in this one industry. The cost to operators and miners of the last year's strike in the Hocking valley undoubtedly ran up into the millions. Throughout the whole country the same destructive and desolating forces are at work. And the pecuniary losses are not the worst evil resulting; the enmities engendered, the breach between classes widened, the bloodshed caused, the lawlessness encouraged, the pauperism propagated, are bitter fruits of this long quarrel of which this land has surely had a surfeiting. If the combatants themselves will not lay down their arms, the force of public opinion ought to be brought to bear steadily upon them, until they are ready to desist from this shameful and needless strife. It is not simply a question between the employers and the employed; it is a matter that concerns the whole community; the public welfare and the public morals are most seriously affected by every strike and every lock-out; the security and peace and order of society are greatly disturbed, the burdens of taxation are heavily increased by this insensate warfare, and the public has a right to demand that it cease and determine without delay, and to hold the parties responsible who refuse or neglect to adopt those rational and peaceful measures whereby such evils may be averted.

Will the workingmen generally consent to the introduction of

this method? As nearly as I can learn, they are ready now in most quarters to welcome arbitration. The initiative ought to come from the employers; when they offer to open negotiations they will generally, I believe, find the men ready to meet them. In England the working classes have given the heartiest consent to this method. Though Mr. Mundella, a manufacturer, is recognized as the leader of the movement in Great Britain, yet as a general rule the laborers have shown more willingness than the employers to resort to arbitration; and overtures looking in this direction, made by the men, have often been rejected by the masters. As long ago as 1866, George Ogden, one of the leaders of the workingmen, in advocating arbitration at a great meeting in Sheffield, declared that strikes in the industrial world were like wars in the political world,—"crimes unless prompted by absolute necessity."

Will the trade unions favor arbitration? I know that it is the general impression that these associations are altogether unreasonable and obstructive; but such an impression is in my judgment somewhat mistaken. Mr. Ryan gives it as his opinion that "there has been no more active force in society than trade unions in advocating and sustaining the system of peaceful arbitration between workmen and employers." It was the president of the trade union congress in 1877 who said: "The principle of appeal to facts and reason instead of brute force is rational, and at once commends itself to the judgment of men. There is no wonder, therefore, that the principle of arbitration for settling disputes has grown very rapidly. . . . My own experience as a member of one of these boards has led me to this conclusion; if a board be properly constituted, and proper arrangements are made to give publicity to the facts of a case, the result generally will be a righteous award. I was glad to hear that the National miners' union have decided to offer arbitration in every dispute, and it forms part of their rules. It is a rational arrangement, and it would be a good thing if all would adopt it. I think, too, arbitration boards should be open to the press and the public. Workmen have nothing to fear from either the one or the other. We want right and justice to rule and we are not afraid of publicity. When men and employers gather round a board to talk over differences and try to adjust them, they give evidence of their manhood. Beasts and reptiles fight and tear each other, and carry

out the law of the strongest; but men reason and think and by this means show their dignity and arrive at much better conclusions and far less costly."

In this country, according to Mr. Ryan, every labor organization but one is pledged to arbitration. The Knights of Labor, the largest of these societies, makes this one of its leading principles; its chief officer, ex-Mayor Powderly of Scranton, Pa., has recently expressed himself strongly, in an interview, in favor of this method. Mr. Ryan prints a number of letters from leading officers in these societies addressed to himself during the winter of 1884 from which I take a few extracts. A. Strasser, president of the cigar-makers' international union of America, writes as follows: —

"The intelligent members of our organization favor arbitration without an exception, because it is a means of preventing hasty and impulsive strikes. Arbitration is always preferable to a strike or lock-out, but it depends on the consent of both parties. In Cincinnati, where our members are locked out since March 8, 1884, the manufacturers have refused to arbitrate, even declined to come to a conference."

P. M. Arthur, chief of the Brotherhood of Locomotive Engineers, replies: "As to our organization, we favor it and are ready at all times to submit our differences that we cannot settle to a board of arbitration; and I believe the intelligent workmen of the country are a unit in favor of arbitration in preference to strikes."

Robert Howard, secretary of the Spinners' union, of Fall River, writes: "Arbitration I approve of when voluntary between employers and employes. I firmly believe that if such boards were formed for the purpose of conciliation and arbitration in the event of disputes, ninety per cent of them would be settled by conciliation, rendering arbitration unnecessary."

These are representative men, and there is no doubt that they express the ruling sentiment of the principal labor unions of this country.

Are the employers as a class, ready for arbitration? I hope that they are, but the indications are not quite so clear as we might wish. There is a decided unwillingness on the part of employers to treat with the trade unions, or even to recognize their existence. Strikes frequently arise from the effort of capitalists to crush these organizations of laborers. The recent trouble on the Wabash railway system, now happily averted, seems to have

had this origin. In view of the unreasonable and arbitrary conduct of which the unions are sometimes guilty, such action by employers is natural; nevertheless it is ill-advised. The combination of laborers for the protection of their own interests is perfectly justifiable, and ought to be encouraged by employers and by the State. Capitalists combine in great companies and corporations, and these companies and corporations combine in vast leagues and syndicates, and it is the height of injustice to deny to laborers the same right of combination. Combination among laborers is the very condition of arbitration. Before the word can have any meaning, there must be some organized force of labor, able to assert and maintain its rights against the organization of capital. The New York Central Railroad Company or the Western Union Telegraph Company, or the Willimantic Thread Company will never "arbitrate" with a single laborer. The first step toward arbitration is a frank and ungrudging recognition by employers of the existence and legitimacy of the trade unions, and a readiness to treat with their representatives on a basis of reason and justice. Such an attitude on the part of the masters would not only pave the way for a peaceable settlement of disputes, but it would go far toward dissuading the unions from those extreme and unwarrantable positions which they sometimes assume.

It may be questioned whether the awards of these voluntary boards would be accepted by the workmen; but experience gives slight ground for such skepticism. Rude companies of men sometimes reject unwelcome judgments, but in the great majority of cases the decision of the arbitrator is accepted submissively, if not cheerfully, and the work goes peacefully on. The honor of the average workingman is a more stringent bond than any statute with which you might strive to coerce him.

"Education," says Mr. Brassey, one of the most intelligent and humane of English employers, "will probably do much to develop the usefulness of courts of conciliation. It may be that a court of conciliation can never adjust a real quarrel; but it is certain that it may do much to prevent a quarrel from arising. If the workmen were satisfied that an employer could not make a concession without suffering serious loss they would not be so unreasonable as to ask for it. The constant meeting of the employer and representatives of the operatives at the same table must naturally facilitate peaceful negotiation where a desire for peace exists on both

sides. With constant discussion, coming events will cast their shadows before, and disputes are not likely suddenly to arise."

Nothing is wanted to secure the success of arbitration and the removal of the curse that now ravages and paralyzes the industrial realm, but the prevalence, among employers, of the sweet reasonableness that finds expression in these words of this great-hearted English capitalist. The man who leads the way in this path of peace will deserve better of his country than the inventor of the telegraph or the discoverer of California.

PAPERS OF THE EDUCATION DEPARTMENT.

I. THE PLACE OF ART IN EDUCATION.

BY THOMAS DAVIDSON, OF ORANGE, N. J.

(Read September 8, 1885.)

In all discussions respecting education we must be careful to distinguish between that instruction which is intended to fit human beings to lead noble human lives, and that which aims at preparing them for special professions. The former seeks to render the human spirit capable of thinking rapidly and correctly on all subjects whatever, of distributing its affections in accordance with the true, relative, and ascertained value of different objects, and of putting forth, with readiness and ease, its various acts of will in accordance with this true distribution of affection. The latter seeks to develop in the human being one or more special faculties, with a view to enabling him to pursue with success some one branch of human endeavor, either theoretical or practical. The former seeks to make men and women; the latter, to make scholars or adepts.

It cannot but be regarded as a matter for deep regret that, in practice, these two kinds of education are not carefully distinguished and held apart; and it is perhaps a matter for still deeper regret that what we may, for brevity's sake, call special education is allowed to encroach, as it does, upon the domain of general or liberal education. There is no surer evidence of the thoughtlessness and frivolity of our time than the outcry against liberal studies and the demand that all education shall be "practical," as the pet phrase is. This demand marks a tendency to return to that old and degrading view of human life which looked upon the individual as merely a small part of the social and political organization, and as existing only for the sake of it, the view which held held that man existed for the sake of institutions and not institutions for the sake of man, the view which Jesus of Nazareth so clearly repudiated with the famous words: The Sabbath was made for man, and not man for the Sabbath. It is one of the saddest

sights in this free republic, which believes and boasts itself to be the nursing mother of personal freedom, to see education persistently tending in a direction which must sooner or later lead to a condition of things in which personal freedom will be a meaningless word. It is as intelligent and virtuous human beings that men are free, not as scholars, artists, artisans or professional men. We are losing sight of the human being in the business man; nay, the human being is losing sight of himself. We hear young men of ability saying every day: "We have no time for study or any kind of self-culture; business occupies every available moment." And such young men, instead of being reproved and besought to redeem their souls and their manhood from this slavery, are applauded as good, practical men, and advised to continue in the way upon which they have entered.

I will not dwell longer upon this painful subject, so well deserving the attention of all educators. I will merely say that, in dealing with my theme, I shall leave special and technical education altogether out of view, and assume the question before me to be: What place ought the Fine Arts to occupy in a system of general education, intended to cultivate the intelligence, the affections, and the will? In saying "Fine Arts," instead of art simply, I mean to exclude not only the useful arts, but also what are called the liberal arts,—logic, rhetoric, etc.

The question, stated as above, may be divided into two: (1) How far, in a general system of education, ought instruction to be given in the principles and history of art? (2) How far ought practical instruction to be given in the methods of the different arts? Logically prior to these, there is another question, at which we may glance for a moment: Why should instruction be given in art at all? The answer must suggest itself at once: In order that men may be able to appreciate and produce the beautiful.

I shall not stop here to consider the question of the relation of the beautiful to moral life. I shall take it for granted that every one will recognize the refining power of the beautiful, when it is truly appreciated and felt, and will be ready to concede that few greater misfortunes could befall a man than to be dead to the beauty of his environment. "Dead to the beauty of his environment"——let us consider this phrase a more closely.

If there is one thing that modern biologists insist upon more than another, it is that life is correspondence. Herbert Spencer

defines life as "the continuous adjustment of internal relations to external relations," a definition expanded by Bastian into this: "Life is the definite combination of heterogeneous changes, both simultaneous and successive, in correspondence with external co-existences and sequences." It follows from such definitions that only in so far as it corresponds with its environment is a spirit alive, and that it is dead to that wherewith it does not correspond. A spirit that does not correspond with those movements of ether and air which we call light and sound is blind and deaf, and so far dead. In the same way, a soul that is not in correspondence with the beauty of the world is dead to beauty. The part of it that might and should correspond therewith is dead. Now, there is perhaps no soul in existence that is altogether dead to beauty; indeed, it is hard to see how a soul could live at all, and be dead in this respect. Very young children and the lowest savages show some sense of beauty, and Darwin has shown that it is not wanting even in the lower animals. But, like all other faculties, the faculty for beauty exists only in a latent, dormant, or potential state, until it is called forth by correspondence with objective beauty. Unlike what we may call the physical senses, it is not necessary for the sustenance of life through nutrition, and, hence, does not, in any high degree, develop naturally and instinctively. In so far as it occurs in the lower animals at all, it seems to be connected with the faculty of self-propagation, and is, of course, confined to purely physical beauty. Even in human beings this is the form in which it first appears, and, as we have said, no human being can well be destitute of it in this form. But how poor the sense of beauty comparatively is, when not developed by instruction, we may see by examining the productions of savage tribes, or of the lower classes in some civilized countries, *e. g.*, Great Britain. We may see the same thing by examining the art produced in any country in times when no æsthetic instruction was given. There are few sights more pitiful than that exhibited by the south side of the Athenian Akropolis, where, heaped up along with the glorious, living fragments of pagan art, are the hideous, dead shards of early Christian art.

But, after all, we must admit that not only does every human soul possess a faculty for appreciating the beautiful, but also that this faculty, to some degree, cultivates itself, even without direct instruction. Still, such cultivation, as a rule, amounts to no more

than a being able to distinguish the various forms of material beauty,—the beauty of simple colors, outlines, rhythms, and harmonies. The sense for the deeper, the spiritual beauty, can, of course, be drawn out only by a correspondence with spiritual things, with men in whose lives and persons, and works of art, in whose forms and import, this spiritual beauty is embodied. It is true that there is much spiritual beauty in nature, as well as in man; but this is revealed only to those persons who have first learned to recognize it in man and his works. Even among the civilized men and women of our own time and nation, the number who are alive to true spiritual beauty in its higher phases is comparatively small, so small, indeed, that artists have, in large measure, ceased trying to embody it, and confine themselves to copying, more or less accurately, certain bits or aspects of outward nature, or to representing little familiar or sentimental scenes from history or every-day life. These are the only things that in our time meet with any wide appreciation. It is vain to quarrel with this condition of things. It is simply one aspect of a general tendency, common enough everywhere, but especially pronounced in our own country, a tendency away from the spiritual and toward the material and sentimental. It is especially prominent, however, in the fine arts, which are always the truest index of a nation's spiritual condition. Our painting has become in the main a question of meteorological effects and illustrations of daily life. We hear a great deal about tints and hues and shadows; about sunrises and sunsets; about bits of landscape, with picturesque rustic bridges, tumble-down cottages, and groups of cows reclining in the shade; about groups of children and lovers sitting or walking in sentimental attitudes; but above this our people seldom rise. In poetry, the favorite pieces are sentimental lyrics, or clever punning comic ditties. In the drama, melodramatic or laughable subjects from daily life are most in vogue. And so on, in the other arts. It is a somewhat humiliating fact that many European, and notably Italian, artists execute works—crude, meaningless, commonplace, sentimental works—specially for Americans. An artist living in Rome once told me that Americans, as a rule, wanted but three things: *first*, a portrait of a Campagna girl with a towel folded squarely on her head; *second*, a *cappucino*, or capuchin monk, with bare head and sandalled feet; and, *third*, a *ciocciara*, or girl with rude buskins, dancing. Strictly, of course, this statement

was not true; but it does indicate the grade of taste, or art appreciation, which the majority of our people who can afford to travel have reached. No doubt, there are honorable exceptions; for our country contains many persons of highly cultured taste; but, on the other hand, the masses who do not travel are on a still lower plane than the average of those who do. At all events, there can be no doubt that our people, as a whole, stand greatly in need of instruction in the principles, history, and methods of art. It is only by such instruction that they can ever learn to appreciate the noblest products of human art, and only through these that they can learn to see and feel the deepest beauty that lies in nature and in life. This last point is one to be strongly insisted upon: that it is through art that we learn to recognize the beauty and dignity of nature and life. The divine ideas that underlie nature are therein so interwoven, through their action and reaction, that it is difficult for the unpractised eye to seize their outlines. It is art that emphasizes these outlines, and makes them visible to the eye. This is the function of art. The reason, therefore, why we give instruction in art is, that we may familiarize men and women with the divine ideas, first, as they appear in the representations of those clear-sighted men who have seen them best, and then as they appear in nature itself. In this way we seek to convince men that nature is but the visible, audible, and tangible expression of divine ideas.

I come now to my practical questions: (1) How far in a general system of education ought instruction to be given in the principles and history of art? (2) How far ought instruction to be given in the practical methods of art? Though these are entirely distinct questions, it will be well to deal with them simultaneously, for the reason that instruction in the principles of art may often be best imparted by actual practice, and, indeed, in many cases cannot be effective without it. In these questions I have employed the general term, *art;* but in order to answer them, I must distinguish the different arts, since the arts do not all hold the same place in education. For convenience' sake and without going too deeply into the subject, I shall adopt the classification made by the ancients, and distinguish two groups of arts, which we may call the space arts and the time arts respectively. To the former of these groups belong the tectonic, the plastic, and the graphic arts: to the latter, the orchestic, the poetic, and the musical arts. How far, then, ought

instruction to be given in the principles, history, and methods of these arts in a general system of education?

I am employing the term *instruction* here in its widest sense, to include every method whereby the spirit is instructed, that is, by which its faculties are mustered and drawn up in array, as if for battle. This is the proper meaning of *instruction*. The chief methods of instruction are (1) presentation of proper objects tending to develope head and heart, (2) well-conducted play, (3) theoretic teaching, (4) training in practice. It is clear that, with this wide definition, instruction in art may be begun almost from the first days of a child's life, and with great effect. There can hardly be any doubt that a man's tastes and tendencies are in a very large measure determined by the character of the first impressions made upon his spirit. A French poet has well said:—

> "A vessel deep man's virgin spirit is:
> When the first water poured therein is foul,
> The sea might pass and not wash out the stain." *

If, on the contrary, we can fill the vessel first with pure water, the foul water will have much difficulty in displacing it. It ought, therefore to be the special aim of all parents to surround their children with beautiful things in their earliest years, and to accustom their ears to pure and elevating music and to noble rhythms. The extent to which this can be done will in some measure depend upon the wealth of the parents; but it certainly does not require much wealth to surround children with the objects best suited to affect their taste beneficially. The simpler the visible forms and the audible melodies and rhythms presented to young children, the more likely will children be to derive benefit from them and to grow in taste. It is easy to overpower and permanently stun the senses of a child by presenting to it the higher and more complicated expressions of the beautiful. Just as persons reared among the sublimities of nature rarely show any strong feeling for these (the Swiss, for example, who have never given to the world either a great painter or a great poet), so children, dazed from their first moments by multitudinous forms and sounds of beauty, which

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* Le cœur d'un homme vierge est un vase profond:
Lorsque la première eau qu'on y verse est impure,
La mer y passerait sans laver la souillure.
ALFRED DE MUSSET, *La Coupe et les Lèvres*, Act IV.

their senses cannot grasp or distinguish, usually become insensible to all the finer details of beauty, and are alive only to vague general impressions, which produce sentimentality. The sons of artists are very rarely artists in the same line as their fathers, although they sometimes are in a different line. The eldest sons of our two greatest American poets have both taken to painting.

In surrounding children with things of beauty, moreover, we must take the utmost care not thereby to pamper them or render them unfit to live amid ugliness, when it is their duty to do so. Some parents, with the best intentions, wishing to develop taste in their children, render them fastidious, luxurious, and hence, weak and exacting. I know persons who have been so spoilt in this respect that they cannot even sleep in a room that is not luxuriously decorated in the finest of taste. This shows that in accustoming children from the first to things of beauty, care must be taken that these things are fitted to call forth strength as well as taste. Everything having even the faintest smack of luxury should be carefully avoided, all costly materials, all soft upholstery, all lounging pieces of furniture. Everywhere the child's eye should rest upon severe, simple beauty. His ear, likewise, should be accustomed to melodies at once simple, tender and strong, never to those overwhelming, passionate or languid strains that daze, excite, or weaken. In Aristotle's *Politics* there is a long discussion upon the effects of music and the kind of music that ought to enter into the education of children. He decides in favor of the simple manly music of the Dorians, of which the best modern representative is the strong, tender music of the Scotch, with its deep, unsentimental pathos.* I can hardly imagine any music more appropriate for the ears of children than the songs of Scotland. It is hardly credible, but it is true, that the most heroic song in existence, and the most nobly tender, viz.: *Scots wha hae wi' Wallace bled*, and *The Land o' the Leal*, are sung to the same tune, with only a difference in time. This shows that, after all, strength is but quickened tenderness, and true tenderness slow-moving strength. Among the things that ought to be kept out of the way of children, as injurious to their taste, are ugly and tawdry playthings and things provoking them to produce discordant noises. Hardly anything could be more harmful to the taste of a

* *Politics*, Bk. VIII. Chap. vi. sqq.

child than grotesque, expressionless, dough-faced painted dolls, dressed in silk and satin, in accordance with the latest frivolous fashion. It is no wonder if children who have played with such dolls grow up to take delight in expensive, fashionable and unbecoming attire. We wonder why boys grow up rough and reckless, and yet we give them hobby-horses, whips and drums to play with. Of all conceivable toys a drum is one of the worst. It encourages a taste for mere din and confusion, and fosters a natural tendency to disregard the quiet of other people. If children are to have musical instruments to play with, they ought at once to begin to be taught how to play on them. But such teaching belongs to another branch of education, viz., well-conducted play.

There is perhaps no part of children's education that requires such complete overhauling as their play, usually so much neglected as to be considered no part of education at all. In consequence of such neglect, it becomes mostly a succession of caprices, leading to thoughtlessness, irritability, disorder, destructiveness and unhappiness. The fact is play is that part of education which ought to be more carefully directed than any other, as being that in which character most freely displays itself and is most deeply affected. The entire occupation of a child's life in its first years is play, and to leave this occupation to be directed by caprice is to leave the child the victim of instincts and whims. Play, indeed, is the highest of occupations, that which is an end in itself. It is the ideal occupation. All other occupations are undertaken for the sake of play. Play, the self-sufficient occupation, that which is freely undertaken for its own sake, and not for some other end, is the end and aim of human existence and every other existence. In learning to play the child is learning to live, to live the true, ideal life. Whatever else he does rationally afterwards, when he becomes a man, he does in order that he may play better. It follows that to leave the play of children undirected, is to leave them untrained in the ways of true life.

Aristotle, whose views I have here been repeating, says that all children's amusements should be types of future occupations.* He also says that, since all practical ability is developed by practice, the perfection of the ability will depend upon the perfection of the practice.† A person who practises carelessly on the flute

* *Politics*, Bk. VII. Chap. xvii. 5; 1336 a 33 sq.
† *Ethics*, Bk. I. Chap. i.; 1103 a 32 sqq,

will always play the flute badly. If, then, children's amusements are to be types of future occupations, the ground for this must be that children shall thereby be fitted for these occupations. It follows that, if this is the case, and the children are to be effective in these occupations, their amusements must be carefully directed.

But I think we may, to some extent, take issue with Aristotle, when he makes the broad statement that all the games of children ought to be types of future serious occupations. This view coincided extremely well with the belief current in his time, and clearly stated by him, that "No citizen must consider himself as belonging to himself, but all must be regarded as belonging to the state."* By us, who believe in rendering to the state what belongs to the state, and to the individual what belongs to the individual, a different view must be held. According to us, the state, like every other institution, exists for the sake of the individual. Man, as a spiritual being, is end and not means. I should therefore say that, since it is of the utmost importance that the child should learn, first and specially, to live that free, spiritual life, for the realization of which all institutions exist, his amusements should be types of those occupations which are ends in themselves, in other words, types of those occupations which are the proper occupations of free spirits. This is simply saying that children should begin to live a true human life from the first, learning to be men before they learn to be professionals or anything else. Now, the highest and most perfectly self-sufficient occupation of the soul is occupation with the beautiful, or, which is practically the same thing, the fine arts. Hence it follows that the amusements of children should be the fine arts. In learning to occupy themselves with these they are learning the end of life,—a thing which, above all others, is necessary to learn, and which in our day is seldom adequately learned.

Now, there is hardly a single one among the fine arts which may not become an amusement for children or to which children are not naturally attracted. They like to build castles, to mould figures, to draw pictures and paint; they like to dance, to chant rhymes, to play on musical instruments; nay, they even like to act plays. It seems to me, therefore, that the whole of a child's attention, except so much as it may be desirable to direct to bodily exercises, should, in the early years of its life, be devoted to the

* *Politics*, Bk. VIII. Chap. i.; 1337 a 27 sqq.

fine arts. As soon as a child can walk it ought to be taught to dance with other children, in time to some simple rhythm or tune. By *dancing*, I do not here mean what passes under that name in the corrupt fashionable society of our time, but what the Greeks meant by it, viz., "a rhythmical movement of the whole body," intended to impart beauty, ease, grace and dignity to the body and all its movements. Among them it was considered one of the fine arts, and, indeed, is enumerated among these by Aristotle, who tells us that dancers, "by giving plastic embodiment to different rhythms, represent characters and passions and actions."* With us, dancing is mostly anything but a fine art. Dancing, in the Greek sense, might perhaps even take the place of gymnastics in the early years of a child's life, being light exercise, and calculated to impart to the body habits of elegance. We never cease to wonder why the statues of the Greeks have a certain indefinable grace entirely wanting in our clumsy statues. The reason is very simple. The Greeks made dancing a fine art, and part of the education of every freeborn child. But such dancing would not only impart a habit of elegance and ease to the body; it would train the ear to rhythm, the mind to habits of attention and concerted action, and the taste to the appreciation of beauty in form and movement, all the while remaining an amusement of the most fascinating kind. Along with dancing, the simplest songs and tunes ought to be made familiar to children, and in this way their taste for music gradually developed. When proper care is taken, children at a very early age learn to sing, and to play on musical instruments, and take the greatest delight in so doing. While they are learning to sing they will also learn the words of their songs, and the utmost care should be taken that these words, which are certain to remain in the child's memory throughout its whole life, should be of an elevating and strengthening kind. I believe that nonsense rhymes and grotesque, meaningless jingles should in all cases be eschewed, and the memory respected, by being made a storehouse for noble things, and these alone. Care should also be taken that the rhythm of all pieces committed to memory by children be perfect. This is the only way to insure that they shall grow up with a good ear for rhythm. The English language contains some excellent rhymes for children—rhymes full of meaning and clothed in excellent rhythm; but there is a very

* *Poetics*, Chap. i. 5; 1447 a 27 sq.

large number that are highly objectionable on various grounds,—meaninglessness, grotesqueness, coarseness of rhythm. Among these must be placed many of Mother Goose's melodies, and not a few melodies equally popular.

Having thus spoken of the three time arts, dancing, music, and poetry, as amusements for children, we come next to speak of the space arts in the same relation. These are the tectonic, the plastic, and the graphic arts. As soon as children begin to use their eyes and hands, they begin to take interest in houses and in articles of furniture, in figures and in pictures. Give them cards or blocks, and they will soon learn to construct houses and castles; give them wood and a saw, and some tacks, nails, or glue, and they will construct articles of furniture (with a jig-saw they will sometimes make pretty brackets, and other similar things); give them a needle and the requisite materials and they will sew and embroider; give them soft clay or putty, and they will inevitably go to moulding vessels or figures; give them a pen or a pencil, and they will draw; a paint-brush and paints, and they will produce figures in color. Now all these tendencies only require to be carefully guided, in order to supply children with amusement of the most desirable kind. If left unguided, they do no good, and soon result in *ennui;* whereupon the child casts about for something new, which he is quite likely to find in ugliness, baseness, or mischief. It should always be remembered that there is nothing so interesting and inspiring to any human being, even a child, as to feel that he is advancing in power, that he is succeeding in doing or producing something; and to leave a child without this feeling is to deprive him of one of the best of incentives to noble action and strong perseverance. From the first, then, a child's interest in all material objects of art should be guided and strengthened. His playthings, whether blocks, figures, or pictures, should be simple and beautiful, never complicated, ugly, or grotesque. In this respect, there has been a wonderful advance in late years. We now see really beautiful toys, and many of the recent picture-books deserve all praise, although many others are grotesque, and otherwise objectionable. As to plastic figures for children, we have nothing at all to compare with the exquisite Tanagra figurines, which I suppose were mostly toys.

Not only ought the greatest care to be exercised in the selection of toys and picture-books for children; but, as soon as their little hands begin to build, to mould, and to design, they ought to be

watched and directed, so that they may learn to produce beautiful things and to respect the beautiful wherever it occurs. It is only in this way that an æsthetic conscience can be made to grow in a child, and that natural ruthlessness, which is the germ of all brutality, be taken out of him. A few weeks ago, sitting in a hotel garden in one of our fashionable watering-places, I saw a group of children with small spades heaping up a shapeless mound of sand and earth, and, in order to do so, destroying the well-kept walks and grass-plots. As the nurses, who sat gossiping, paid no attention to this vandalism, I ventured to remark to one little fellow, "You are destroying this pretty grass-plot." "I don't care if I do," was the young barbarian's reply, as he carried off a spadeful of earth and grass. What will a creature who does this at four do at fourteen and twenty-four? We wonder why so many of our young men grow up ruthless, reckless, hard, and brutal. The reason, I think, is not far to seek. If, on the other hand, children are taught from the first to respect the beautiful, and made aware of how much care is required to produce it, they will soon become gentle, tender, and thoughtful. One main reason why women are so much more gentle and regardful of all that is beautiful than men, is that they are very early taught to produce beautiful things with their needles. Aware of this, some most excellent mothers teach even their sons the use of the needle, with excellent result. The two best mothers I have ever known did this. But the same result might be reached, if the children were taught to make beautiful things in any way,—with a jack-knife or a jig-saw, by moulding clay, by drawing, painting, or gardening,—and, if care be taken, it is by no means difficult to make them do this. But, of course, care, patience, and time are required, and those persons who cannot or will not give these ought not to assume the responsibility of rearing children.

There is one art, in practice a compound of the space and the time arts, which seems especially adapted to develop all the powers of the child, the bodily as well as the mental, and that is the drama; but, as the relation of it to education has been ably presented to you this morning, I can afford to leave it unconsidered.*

I cannot here enter into the details of the methods whereby children may be taught to occupy themselves with the fine arts as

* This was the essay by Mr. W. O. Partridge, entitled *The Relation of the Drama to Education.*

amusements. Some of them are already in use in the kindergarten. A special paper on this subject might well and worthily occupy the attention of this Association. But, before I leave this part of my subject, I must utter one word of warning. In encouraging children to occupy themselves with the fine arts, which are, strictly speaking, an intellectual occupation, we must be careful not to withdraw them from those occupations which train the body and render it a strong and ready instrument. It is the neglect of this warning that has allowed art, in many cases, to become the precursor and cause of moral, social, and political decay. In the life of every civilized nation hitherto there have been three stages,—growth, ripeness, decay. Each of these has amusements peculiar to itself. When a nation is young and growing, its citizens, having no great store of acquired wealth, must, for the most part, labor to earn their own living, at the same time performing their part in the necessary national defence. Both these things require health and strength of body, and, accordingly, the amusements in favor among such peoples are those which tend to ensure these. As wealth accumulates, and the national defence can be entrusted to an organized portion of the community, leisure increases, so that some of those who enjoy it turn to intellectual pursuits and amusements, and, since the fine arts are just the true intellectual amusements, they devote their attention to these. If, in doing so, they should still keep up their vigorous and invigorating physical exercises, their devotion to art would be altogether an admirable thing, humanizing, civilizing, refining; but, unfortunately, the experience of history shows us that this has seldom or never been the case. Devotion to art has usually been the concomitant and cause of bodily enervation and enfeeblement. These, again, have been the parents of luxury, which always ends by destroying art and the delight in it, and replacing it by mere shows, appealing powerfully to the senses but provoking no thought or skill.* When this happens, a nation is far on its way to decay.

* See the bitter remarks of Cicero in letter to Marius. *Epist.* Bk. VII. No. 1: "Omnino, si quaeris, ludi adparatissimi, sed non tui stomachi: conjecturam enim facio de meo. . . . Adparatus enim spectatio tollebat omnem hilaritatem, quo quidem adparatu non dubito quin animo aequissimo carueris: quid enim delectationis habent sexcenti muli in *Clytæmnestra*? aut in *Equo Trojano* creterrarum tria millia? aut armatura varia peditatus et equitatus in aliqua pugna? Quae popularem admirationem habuerunt delectationem tibi nullam attulissent." Cf. Horace, *Epist.* Bk. II. No. 1.

As this decay advances, sights and sounds more and more garish are required in order to rouse the dulled and blunted senses, which at last can be stirred only by the coarsest obscenity or by sights of real danger and bloodshed, beginning with cock-fights and dog-fights, rapidly proceeding to bull-fights, tiger-fights, and lion-fights, and ending with gladiatorial shows, wherein men are butchered to make a holiday. No nation can escape this doom, no nation is truly civilized, no nation can count upon perpetuity, that allows devotion to the intellectual amusement of art to supersede the physical amusement of well-conducted, vigorous bodily exercise and the zest that arises from overcoming physical difficulties. All this we shall find most powerfully illustrated in the history of the ancient nations, without going further back than Greece and Rome. Sparta, in order to remain strong, refused to cultivate the arts, and so never reached maturity, but remained boyish to the end. She paid the natural penalty for refusing to advance. Athens, on the other hand, in her devotion to art, neglected physical development and the courageous habit of body, and so fell a prey to luxury and all that follows therefrom.* Her palmy period, the Age of Periklês, was just when her attention was equally divided between physical and intellectual amusement,—the two forms of rational amusement. From that time on she sank; but before she reached the last stages of her decay, she was merged in Rome, which, partly on that account, drank the poisoned cup of decay to the lowest dregs. "Captive Greece took captive her rude conqueror,"† says Horace, and, he might have added, bitter was her revenge. Rome is the warning of warnings against allowing devotion to art to supersede devotion to manly exercises, and so pave the way for luxury, which always ends in sensual vice and cruelty. Rome perished for lack of men, says an historian.‡ If we wish to see how true this is, and how it came

* See Curtius, *Griech. Gesch.* Bk. VIII. Chap. ii.

† *Epist.* Bk. II. No. 1, line 156 sq. : —

"Graecia capta ferum victorem cepit, et artes
Intulit agresti Latio."

‡ On this subject, see an admirable essay by Rosmini, *Saggio sui Divertimenti Pubblici* (Essay on Public Amusements), appended to his *Philosophy of Politics*. The following passage deserves to be quoted: "Prima dunque nei populi regna l' azione; e l' esercizio proprio di questo stato è la ginnastica: di poi, coltivato lo spirito, viene in essi la contemplazione, de cui il diletto proprio sono le belle arti. Queste mettendo in azione l' intendimento, danno quiete al corpo, poichè non può l' uomo attendere a tutto. Quando poi l, azione stessa dello spirito vien meno, allora rimane l' inazione si del corpo che dello spirito ed è il tempo della corruzione e della voluttà nell' animo, della inerzia e debolezza del corpo, stato prossimo alla schiavitù."

to be true, we have but to read the Roman historians and poets from Sallust and Horace onwards.*

I have made this warning digression because I think our own nation needs it. Though young and growing, we are already showing signs of decay in the worst of all forms, premature decay. I am not in the slightest degree pessimistic, nor do I dream for a moment that our nation runs any risk of sharing the fate of the Roman Empire; but I think it is high time for social scientists and others who guide the destinies of our nation, to consider with the utmost care the relation of art to luxury, and the effect of a tendency to the latter upon the nation's well-being. I think it can be shown that in every case luxury, and the desire for physical comfort, have been the greatest foes of art, and the forerunners of national decay. Art itself has all the severity of the intellect, while luxury has all the languor of wearied senses. Art is among the manliest of things, luxury among the most unmanly; and yet the one readily degenerates into the other, unless due attention is directed to keeping the body in such a condition that luxury has no charms.

But to return. Thus far I have spoken only of two methods of giving instruction in art,—familiarity with art-products, and play. These methods are adapted to the earliest years of a child's life, those spent in the nursery and the kindergarten. I am disposed to think that the whole of a child's life, except so much of it as is given to sleep, eating, and physical exercise, should be devoted to the fine arts in one form or another,—dancing, singing, reciting, playing little dramas, examining and imitating beautiful objects. Among these would, of course, be many natural objects, stones, plants, birds, etc., and by carefully copying these, the child would unconsciously acquire a power of accurate observation, which is of the greatest scientific value. There is no way of training the eye to observe the likenesses and differences of things so sure as by copying them.

About the time when the child leaves the nursery and the kindergarten, indoctrination in the fine arts ought to begin; but, at the same time, the influences previously employed should be continued. The child should still be surrounded with beautiful

* See Lecky, *History of European Morals*, Vol. I. pp. 271 sqq., and Friedländer's *Darstellungen aus der Sittengeschichte Roms in der Zeit von August bis zum Ausgang der Antonine* (3 Vols.).

objects. More than any other place in the world, the school-room should be built, furnished, and decorated in the severest and purest good taste. It should be, and be felt to be, a temple of the Muses, to be entered with reverence and awe. Everything about it—the proportions, the light, the colors, the furniture, and the decorations—ought to have a brightening and inspiring effect. All tawdry ornament, all falsity, all meaningless arabesques and wall-paper patterns, ought to be rigorously excluded. Moreover, everything in the room ought to have either a distinct practical use or a spiritual meaning. The decorations ought in all cases to have the latter; for the child has now come to the age when he must not only recognize beauty when he sees it, but must also discover the ground of beauty by reaching down to the idea that creates it. He must learn that

> "No skill of subtle tracery,
> No mere practice of a dextrous hand,
> Will suffice, without a hidden spirit,
> That we may, or may not, understand."*

And not only must the child be still surrounded with beautiful and significant objects to delight the soulful eye, but he must still hear good music and good poetry, and take part in the presentation of these himself. But in proportion as he learns the theory of the arts, his activity in these must cease to be unreflective play and become reflective, serious amusement. His previous playful occupation with them will have amply prepared him for the change. Indeed, there are few things more delightful than to find that something which one has learned and regarded as play has a serious import. Such things become endeared to us in a strange, deep, fascinating way. And this is a strong reason, not often thought of, why all the games of childhood should have a serious import. Having this, they bind together into one solid, compact whole our entire life, and save us from learning that saddest and most demoralizing of all lessons, "irreverence for the dreams of youth." In this connection every one will recall the exquisite lines of Wordsworth, whose life was so noble and full of all true piety:—

> "My heart leaps up when I behold
> A rainbow in the sky;
> So was it when my life began,
> So is it now I am a man,

* Adelaide A. Procter, *The Carver's Lesson.*

So be it when I shall grow old,
Or let me die!
The child is father of the man:
And I could wish my days to be
Bound each to each by natural piety."

Referring to these lines, Coleridge says: "Men laugh at the falsehoods imposed on them during their childhood, because they are not good and wise enough to contemplate the past in the present, and so to produce, through a virtuous and thoughtful sensibility, that continuity in their self-consciousness which nature has made the law of their animal life. Ingratitude, sensuality and hardness of heart all flow from this source. Men are ungrateful to others only when they have ceased to look back on their former selves with joy and tenderness. *They exist in fragments.* Annihilated to the past, they are dead to the future, or seek for the proofs of it everywhere, only not—where alone it can be found—in themselves."* These are excellent words, words which warn us to educate human beings so that their life shall not be a series of fragments, but a beautiful, consistent, progressive whole. And this we can do only by making the plays of childhood types of, and preludes to, the serious delights of after years. I repeat, then, that the fine arts, which have furnished unreflective amusement during the early years of childhood, must, when school life begins, be raised to the dignity of serious and reflective amusements, and studied with loving care.

Here we see clearly the value of the distinction which we made near the beginning, when we separated the two questions: (1) How far, in a general system of education, ought instruction to be given in the principles and history of art? and (2) How far ought practical instruction to be given in the methods of the different arts? The answer to the first of these questions is: So much instruction should be given in the principles and history of art as to place those instructed in appreciative correspondence—in that living correspondence which is spiritual life—with all the products of art now existing, and, through them, with all the half-veiled beauty that lies scattered everywhere in the world. The answer to the second is: So much practical instruction ought to be given in the methods of the different arts as is requisite in order to make the theoretical instruction completely intelligible. It must

* *The Friend*, Vol. I. p. 58 (Reed's Wordsworth, p. 85).

never be forgotten that theory can never with advantage precede experience; and in many cases, experience, to be a basis for theory, must include practice. It is as vain to teach a child the theory of a beauty which he cannot perceive and feel, as it is to teach him the grammatical rules of a language which he does not understand,—a piece of crass absurdity, I may remark in passing, which is almost universally practised in this country and elsewhere, in teaching Greek and Latin. Aristotle has some wise remarks on this subject. "Seeing," he says, "that a person must to some extent participate in a thing in order to form a correct judgment about it, people ought to learn the practice of such things while they are young, so that when they are older they may be released from it, and yet be able, from the study which they have devoted to them in their youth, to judge them correctly and take the proper delight in them. All the beneficial results of musical education would be secured if, instead of going into a laborious practice, calculated to prepare professionals for public exhibitions of skill, instead of trying to perform those feats, and acquire that unimaginable dexterity, which have recently come into vogue, at public exhibitions, and have passed thence into education, young persons were to learn just enough to enable them in the proper way to enjoy beautiful songs and rhythms, and prevent them from taking a mere indiscriminate delight in anything that calls itself music—as some of the lower animals, and the whole mass of slaves and children do."* In these words, which might have been written yesterday, a clear distinction is drawn between general or liberal and professional or technical education, and the amount of æsthetic instruction to be included in the former carefully stated. At the same time, just contempt is meted out to that gaudy, exhibitional dexterity which then, as now, took the place of art, when the taste for the latter had died out.

But a very practical question still remains: In order to enable young people truly to appreciate art and beauty, how much indoctrination and practice shall be given at the different stages of education in the school, in the college, in the university? The answer to this question must, of necessity, be as vague as the distinction between school, college, and university, and I cannot hope to give more than suggestions.

The first of these is that, in all cases, art must be made familiar

* *Politics*, Bk. VIII. Chap. vi.; 1340 b 35 sqq.

by experience and practice, before any theory with regard to its meaning or methods is imparted. Those children who have been trained to play with the fine arts in the nursery and the kindergarten will come to school with a considerable amount of experience and practice, and both these must be continued in school. We have already spoken of how experience may be given, and we now come to speak of practice. During the earlier years of school life, this, I think, ought to consist of dancing (in the Greek sense), drawing, recitation of poetry, and, from time to time, little dramatic performances, care being taken that the last are not rendered exhibitional. As years go on, dancing ought gradually to give place to gymnastics, which should have a distinctly æsthetic purpose, that of bringing out in all their beauty the natural proportions of the healthy body, and enabling it to move with ease, dignity and grace. "Beauty," says Aristotle, "and not beast-like savagery of look, ought to play the principal part among the aims of physical education."* And he gives us some hints as to how this beauty is to be attained. "Up to the age of puberty" he says, "children ought to be subjected only to the lighter exercises, and all forced dieting and violent exertion should be eschewed, in order that no obstacle may be put to the growth of the body. It is no slight proof that violent exercise interferes with the development of the body, that there are not on record more than two or three cases, in which the same persons were victorious at the Olympic games both as boys and men, which is due to the fact that the youthful victors were deprived of their strength through the necessary preparatory training."† This last fact is very instructive.

While dancing at school is giving place to gymnastics (I make no distinction between the sexes in this matter, though the character of the gymnastics for the two will necessarily differ), recitation of poetry from memory, and singing from the ear ought gradually to give place to good reading, and to singing or playing from the notes. At the same time, drawing from architectural models and sculptural casts ought to be carefully taught, and instruction given in the theory of perspective. At intervals of about two months, little plays—generally, but not always, comedies, sometimes tragedies, and never pantomimes, burlesques, or

* *Politics*, Bk. VIII. Chap. iv.; 1338 b 29 sq.
† *Politics*, Bk. VIII. Chap. iv.; 1338 b 40 sqq.

melodramas—should be acted by the children, every member of the school having a part to play at least once a year.

As to reading, it must, from the first, be treated as a fine art, and be made to bring out, with all possible clearness, the meaning of the matter read. All such noisy abominations as reading in concert ought to be avoided. In the earliest grammar published in the Western world, the grammar learned by Cicero and Cæsar, we find this definition of reading: "Reading is the rendering of poetic or prose productions without stumbling or hesitancy. It must be done with due regard to dramatic expression, modulation, and pauses. Through the expression we learn the worth of the piece; from the modulation, the art of the reader; and from the pauses, the meaning intended to be conveyed. In accordance with this, we read tragedy heroically, comedy conversationally, elegiacs thrillingly, epics sustainedly, lyrics musically, and dirges softly and plaintively. Any reading done without due regard to these rules degrades the merits of the poets, and makes the habits of readers ridiculous."* One wonders how our prosaic mode of reading would have looked to the ancients.

As regards music, enough will have been accomplished during the years of school life, if children learn to sing by note; in other words, to read music, and to play accompaniments upon some inexpensive instrument, say the violin. So much practice and instruction at least every person must have, in order to appreciate even moderately good music. Of all instruments for the school-room the piano is about the worst, and this for reasons too numerous to recapitulate here.

Instruction in the space arts ought in schools to be limited to drawing, and this for two reasons, (1) because architecture, sculpture, and painting could not without great difficulty be introduced, and (2) because they are not necessary for the ends of general education. Persons who can draw buildings and statues are in a fair way to appreciate architecture and sculpture,—indeed, architects are little more than draughtsmen,—and it is a well-known fact that, even in technical schools of painting, pupils are forbidden for years to touch color, and are confined to the study and the representation of simple form. After all, color is perhaps the least essential of the means of art.

* *Grammar of Dionysius Thrax* (§2), in Bekker's *Anecdota Graeca*, Vol. II. pp. 629 sqq. See my translation in the *Journal of Speculative Philosophy*, Vol. VIII. p. 326. Compare Max Müller, *Lectures on the Science of Language*, First Series, pp. 90 sqq.

That dramatics should form a branch of common school education, I have not the slightest doubt. So long as the theatre forms one of the chief amusements of the great body of our people, it is most essential that they should be taught in school to appreciate a good drama and to reject a low-toned and inartistic one. Besides, dramatic performances are things in which children take a lively interest, and to which they are willing to devote leisure time. They are also the best means of imparting that ease of manner in public speaking, and that freedom from stage-fright, which are so necessary for citizens of a free republic, and which are so often lacking, especially in women. The influence of many good women is seriously impaired by their having failed to learn dramatics when they were children.

Such, then, is the nature and amount of æsthetic instruction which, in my opinion, ought to form an integral part of common-school education,—gymnastics (gradually replacing dancing), reading, music (by note), drawing from models and casts, and easy dramatics. By far the majority of our people terminate their general education at the close of their school life, and either rush, or are forced, into the contracted paths of active life. It is, therefore, of the highest importance that at least as much æsthetic education as I have specified should be given in the public schools. If it is not sufficient to enable those receiving it to appreciate the highest forms of art, it will at least have four good effects: (1) it will enable them to reject low and bad art, wherever it appears, preventing them, for example, from wasting their time and money upon low dramatic performances and meretricious exhibitions; (2) it will give them a taste for good literature, and prevent them from corrupting their minds with the low, disgusting trash now supplied by our lending and public libraries in the shape of popular novels; (3) by enabling them to amuse themselves in a rational way, it will keep them from seeking irrational amusement in games of chance and violence, or degrading delight in drunkenness and the accompanying vices; (4) it will give them an impulse to seek further æsthetic culture in the intervals of their laborious worldly duties. We often wonder why so many members of the classes whose education ends with the common schools seek low pleasures and coarse sensual delights. The reason is that our schools, by neglecting their æsthetic education, have left them without the means of finding amusement and delight in a rational way.

It is the good fortune of a small number of our people to be able to continue their studies beyond the grades of the common schools, forward to the college, academy, or high school, and of a smaller number to proceed thence to the university. I must now say a few words about æsthetic education in these institutions.

In the academy, college, or high school, the course begun in the common schools ought, in great measure, to be continued. Gymnastics with an æsthetic purpose, should take a more rigorous form, now that the body can undergo considerable strain without injury to its strength, and should be varied with occasional dancing. Works of genius in literature should be read and commented upon, with a view to showing the thought underlying them, and the methods by which this thought has been artistically embodied. For this purpose the writings of Tennyson, Sir Walter Scott, Milton, and above all, Shakespeare, in English are admirably suited. As other languages are learned, works in these may be dealt with in the same way. What a wonderful æsthetic revelation is contained in works like the *Antigone* of Sophoklês and the *Iphigenie* of Göthe, if teachers were themselves sufficiently cultured to make it apparent! Unfortunately few are. Music should still be continued, especially singing, with accompaniments. This ought to be supplemented by small weekly concerts, in which the music-teacher, with the aid of the most musical among his pupils, should perform before the school good pieces by all the great masters of pure musical taste from the time of Guido of Arezzo down to our own. The performance of every piece should be preceded by a brief explanation of its merits and an account of its position among its author's works. Whenever a fresh composer is drawn from, a brief account of his life and works ought to be given, and something said about the state of music in his time. In this way the pupils would not only acquire a pure taste in music, but they would become familiar with a large number of classical pieces, and learn a good deal about the history of music and the lives of musicians. It adds greatly to our interest in a thing to know its history, especially when that history is long and full of great names.

Drawing also should be continued, but should now be gradually directed to natural objects and to products of the creative imagination. Young people should early be encouraged to sketch from nature, and to draw their own conceptions of scenes and events

in the books they read. How much admirable material for work of this kind is to be found in the plays of Shakespeare and Sophoklês! I have known an English schoolboy illustrate his Cæsar and his Virgil in a way that showed how completely he grasped what he had been reading. Along with this practical instruction ought to go a course of indoctrination in the history of the time arts,—the tectonic, the plastic, and the graphic. There is a way of doing this which ensures excellent results. The history of the arts named ought to form part of a general course of history, and such a course ought to be given in every academy, college, and high school. It ought, however, to be given far otherwise than it is at present. Naturally enough, the courses hitherto given in high schools have been outlines of history as hitherto written, and this has been little more than a record of wars and struggles between princes—a record giving no insight into the life of the different peoples or their import in the history of civilization. At the present day, history in the true sense, that of a record of the rise and development of civilization, has begun to be written, and it is this history that, in its main features, ought to be taught to high schools. I say, "in its main features," and by this I mean that it should be taught as a series of epochs connected by a general outline of explanatory facts. It ought to be treated like a series of towers connected by a wall. Along this wall we ought to walk rapidly, lingering for some time on each tower in order to take a view of the surrounding country. In this way we shall obtain an excellent notion of the environs of the City of Man. It is fortunate that the great epochs of history are just those marked by high art. In studying each of these epochs, young persons ought to have their attention directed especially to its literature and art. These, and not the wranglings within and without, form the best clue to the life of a people, and the best index of what it has done for civilization. What sort of knowledge of the import of Greek history would a man have who knew nothing of Greek architecture, Greek sculpture, Greek fictile art, Greek poetry, the Greek theatre? These are the very things that make Greek history worth study, and to omit them is to omit what is most essential. Again, what knowledge of the Middle Age would a student have who knew nothing of the music of Guido, the poetry of Dante and Petrarch and Chaucer and the Minnesänger, the painting of the Cimabue and Giotto and the other early masters, and the architec-

ture of Erwin von Steinbach and the great cathedral builders of the Middle Ages? It would be such knowledge as a blind beggar might have of the Alps,—a knowledge of ups and downs, rough places and roaring cataracts, a weary knowledge brightened by no beauty or grandeur. And what is true of these epochs is true of all others.

In teaching history, then, in high schools, special attention ought to be given to the art of the different periods, and every such school ought to possess a whole apparatus for such teaching, consisting of engravings, casts, photographs, sketches, etc., etc., many of which ought continually to decorate the school-room walls. At the same time, pupils ought to be taken to picture galleries and art museums, whenever these are accessible. In this way, art-instruction would give life and meaning to history, and history would render art intelligible and illustrative. It may be said that, in teaching history, as much attention should be directed to the science, philosophy, and religion of the different epochs as to their art. This is true; but the university is the proper place for the study of these sides of history, not the college, academy, or high school.

Dramatic instruction ought to be continued in these schools, the practice as well as the theory. Pupils should now be initiated into the dramatic beauties of the lighter works of great masters, and trained to bring these beauties out in acting. Euripidês, Aristophanês, Terence, Molière, Shakespeare, Schiller, Goldsmith, etc., afford excellent material for such study, and there is a good deal of available matter even in less celebrated authors. I think it would be well if every large school of the grade under consideration would bring out four plays annually, one at the end of each quarter. Of these one ought to be in Greek or Latin, one in German, one in French or Italian, and one in English. The cast in each case ought to be different, so as to bring in as many pupils as possible, and the rehearsing ought to be done by the teachers of the different languages. The result of three or four years' dramatics, taught in this way, would be to impart a very considerable knowledge of dramatic art, of dramatic literature, and of the history of the drama, all of which is necessary for a proper appreciation of dramatic excellence.

Such, then, is the course in æsthetics that seems suited for educational institutions of middle grade,—æsthetic gymnastics,

reading and interpretation of great literary productions, music and history of music, drawing from nature and the imagination, history of the space arts (included in a general course of History), and varied dramatics, including four performances annually. The systematic education of a considerable part of our population, and especially of those who take a leading part in so-called practical pursuits and become rich, stops with the college or high school. This class of persons necessarily exercises a very strong influence upon the social tone and political fortunes of our country, all the more that we are fortunate enough to have no aristocracy of blood. It is, therefore, of the highest importance that this influence should be refined and refining, that it should be in sympathy with everything that tends to embellish and ennoble life, and therefore, in a high degree with the fine arts. Indeed, there is no class in our community to which æsthetic instruction is more essential, or in which the lack of it is attended with more disastrous results, than this. That fondness for expense and show which characterizes so many of our wealthy people, and which has such a demoralizing effect both upon economics, social life, and character, is, in very large measure, due to this lack. It is only people who have no true feeling or appreciation of art that care for show; indeed, show in itself is, in the very highest degree, unæsthetic. Furthermore, of course, the want of taste on the part of rich men fond of show reacts upon artists, who themselves usually belong to the class whose education stops with the high school, and makes them produce showy works which bring high prices, but have little or no artistic worth. This it is chiefly which keeps American art on so low a plane. I have already referred to the estimate which true artists form of the taste of the ordinary moneyed American, and it is by no means flattering.

I could linger much longer on this subject, and show, many more evils arising from the lack of æsthetic education on the part of our industrial leaders and artists; but I must hasten on to my last point, which is æsthetic education in universities. Since, in my opinion, these institutions should be devoted to theory,—to the summing up, completing, and formulating of what has been learned in institutions of a lower grade,—and not to practice, I think that in them all practical work in the fine arts should cease, or rather, should be left to the free will of the students themselves, with only the aid of encouragement and opportunity. Every uni-

versity ought to possess a collection of pictures, engravings, and casts, a library of works upon all the arts, a theatre, and a gymnasium; but it ought to have no classes in music, drawing, elocution, dramatics, or gymnastics. If young men and women, by the time they reach the university, have not acquired sufficient interest in the arts to attend to these things of their own accord, and to form organizations for that purpose, their previous education has, to a great extent, been a failure. But there is little fear that, after such an æsthetic education as I have sketched, any such failure should take place. Even as things are at present, the students in our best universities freely devote a great deal of attention to the fine arts. They have glee-clubs and dramatic clubs; they play various instruments in their rooms; they draw, some of them very creditably, for their college papers; they attend concerts and theatres, and visit art galleries; they exercise themselves in the gymnasium, and they dress in good taste—as far as our tailors' laws will allow. All this they could do more systematically and generally, if their early æsthetic education had been properly attended to, in which case there would be no necessity for the university's giving practical instruction in art. I hold it to be one of the important functions of a university, to afford young men and women an opportunity for taking the practical activities of life, in so far as these as purely human, and not merely professional, into their own hands. What remains for the university to do, is to complete the course of art-history begun in the high school or academy, to direct students in the art of interpreting the greatest works of art in existence, and to give a regular course in æsthetics or the theory of art, making it a special aim, in each case, to show the intimate connection which subsists between the fine arts and the other manifestations of human intelligence,—religion, education, polity, social economy, etc. In the university, the history of art should no longer be connected with political history, but with the history of religion and thought, and art should be shown to have been, in every age, the expression of what was deepest and most sincere in both these,—an uttering of what men, in their heart of hearts, believed and worshipped. Thus connected, the history of art and the history of religion and thought would be seen to have, in all ages, affected each other in the deepest sense. In this way would come into prominence that most impressive fact, that only religious and thoughtful—that is, philosophical—

peoples and ages can produce great art, and that great art presupposes such peoples and ages. This, again, might induce us to consider what condition of religion and thought the art of our time and people implies, and, after such consideration, to direct some attention to religion and thought, so that the one may become more sincere, and the other more profound.

The works of art studied in the university should be the very highest in existence, and they should be studied not only with respect to their form, but especially with reference to their matter or content. It is certainly very interesting and instructive to learn what external circumstances determined the peculiar characteristics of the columnar architecture of the Egyptians and the Greeks; but it is much more important to learn what were the ideas they sought to embody in that architecture, and what connection these ideas had with those expressed in their various institutions. Especially in poetry is it of importance to bring out the underlying meaning, since this is the art in which the deepest meanings may be best expressed. In the university, therefore, the greatest and most philosophic works of the poetic art should be read and carefully studied with reference to their underlying meaning. In every case, works representing epochs of human development should be chosen,—the Vedic hymns, the poetic portions of the Bible, the Homeric poems, the Greek tragedians, Lucretius' *De Rerum Natura*, Horace, Dante, the *Nibelungenlied*, Shakespeare's masterpieces, Göthe's *Faust*, and so on. To some of these it would almost be impossible to devote too much attention,—notably, the *Divina Commedia*, in my opinion the greatest work of art ever produced by human hand.

I am of the opinion that every well-equipped university ought to have a chair of *History of Religion*, *Philosophy*, *and Æsthetics*. What might not an able and genial man in such a chair accomplish! The instruction given by this professor ought to include a course of lectures upon the principles of æsthetics and the limits of the different arts—in a word, upon the philosophy of art—and close with a course upon the relation of the fine arts to domestic, social, and political life, and to political economy. It ought to be shown that all departments of life are deeply influenced by taste, and in prosperous communities are pretty much what taste makes them. It ought also to be clearly seen that, except in so far as the necessities of life are concerned, it is taste that determines what men

manufacture, buy and sell,—that determines political economy. I cannot but think that a course such as I have sketched would go far to spreading such a taste for art as would, in a couple of generations, remove from us the stigma of being a nation of mere money-grabbers, with no sense for anything but "a good time," and place us where, by all right, we ought to be,—at the head of the cultured nations. Such a change can, of course, only go hand in hand with a great development of sincere religion and earnest thought; but such a development has begun, and an acquaintance with the great art of past ages could only go to accelerate it.

Here I ought to conclude; but, before doing so, I will answer one question which I have all along been putting to myself, and which has doubtless presented itself to others. How much time ought, in a general system of education, to be devoted to the fine arts, as compared with the time devoted to other subjects? Plainly the answer to this question will depend upon the value we place upon art and the beautiful, and the power to appreciate and produce them. Now, I think, if we take beauty in its deepest sense, we shall admit that to enjoy and create beauty is the ultimate end of life, and that we do all other things only for the sake at last of doing this. "Beauty is its own excuse for being," says Emerson.* It is the only thing that exists for its own sake: indeed, it is realized being, or, as Göthe puts it, robed truth.† The spiritual worth of a thing is measured by its beauty; the power to recognize beauty, therefore, is the power to form correct judgments with regard to the spiritual worth of things, and this is the ultimate ground of all moral life. Kant knew what he was talking of when he called his book on æstheties *Critique of the Power of Judgment*. The highest moral life is the choosing and realizing of the highest beauty, and the determination to lead a moral life is the determination, as far as possible, to banish ugliness from the world. If our sense of the beautiful were not a mere superficial, sentimental thing, but a deep, absorbing devotion, as it ought to be, should we, think you, allow that physical and moral ugliness

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* *The Rhodora.*

† *Wilhelm Meister's Wanderjahre*, Bk. II. Chap. ix.:—

Dieses ist der Sinn der Wahrheit,
Der sich nur mit Schönem schmückt,
Und getrost der höchsten Klarheit
Hellsten Tags entgegenblickt.

which disfigures and degrades the lives of so many of our fellow-creatures, to go on existing for one day, while we could do anything to prevent it? Seeing then, that to enjoy and create beauty is the end of life and the source of all true moral judgments; seeing that beauty is what gives to things all the worth and meaning they have, we surely cannot be giving it too much attention, if we consecrate to it the half of all the time devoted to education. I think that in the earlier stages of education nearly all the time ought to be given to it, but that a gradual shortening should take place, until, in the university, it should occupy only about a third. As young men and women, through the study of art-products, learn to recognize the beautiful under its various disguises, the subjects of the other branches of study, of the natural, as well as the cultural sciences, will become invested with beauty, and the universe, instead of appearing, as it now too often does, a play of mere blind forces, will be recognized as the expression of eternal, ideal beauty, worthy of all love and all enthusiasm. Then the light of earth will be seen to be the light of heaven.

"Heaven lies about us in our infancy!
Shades of the prison-house begin to close
Upon the growing boy.
But he beholds the light and whence it flows,
He sees it in his joy;
The youth, who daily farther from the east
Must travel, still is Nature's Priest,
And by the vision splendid
Is on his way attended;
At length the man perceives it die away
And fade into the light of common day."

II. THE RELATION OF THE DRAMA TO EDUCATION.

By William Ordway Partridge.

[*Dedicated to my friend, Thomas Davidson, to whose fidelity this Essay owes its life.*]

In view of the practical ends for which this society was established, I purpose (1) to examine the relation of the dramatic, as such, to education in its essential nature: (2) to consider the drama as it exists at present, especially in our own country, in its relation to the purely dramatic and to education, pointing out its more salient defects and shortcomings; and (3) to suggest means whereby these defects and shortcomings may be remedied, and the drama raised to a position from which it may exercise its legitimate function as a factor in education.

An important step toward the accomplishment of the first of these purposes, viz., the defining of the relation of the dramatic to education will be taken if we can make clear the meaning of the terms in which our subject is couched. To begin with the more important of these terms, education, we may gather its meaning from its etymology. "Educo," from which the verbal noun "educatio" (Education) is derived, is little more than another form of "educo," to lead or draw out. Education, therefore, at bottom, means a leading or drawing out of the faculties of the human being. To this etymological definition, usage, guided by experience, has added something more, so that education means the harmonious drawing out of all the human faculties with a view to perfect intelligence, perfect nobility of feeling, and perfect moral action—guided by intelligence and feeling. Furthermore, education, in ordinary speech, is used sometimes in a narrower, sometimes in a broader sense. In the former it means that instruction which is given in schools, colleges and universities; in the latter, it embraces all the influences that shape our character from the cradle to the grave. I purpose to use the term in both senses, but mainly in the latter. For true it is, that "All the world's a stage, and all the men and women merely players."

Passing now to the other term drama, we find ourselves again guided, in some degree, to its meaning by its etymology. Drama

(from "drao"—to act) literally signifies action; but to this meaning also usage has added something more, so that "drama" has come to mean the representation, in the form of action, of a moral problem or collision in such a way that the motives for the whole series of events are clearly revealed, and all fortuitous circumstances, which in actual life serve to complicate such problems and to conceal their import, are excluded.

Having thus defined the terms education and drama, we may now put our subject in the form of a question and substitute for these terms their definitions. The problem will then assume something like this form: what effect will the presentation of a moral collision, in the form of a motivated action, displaying the whole round of its natural consequences, and excluding all fortuitous circumstances, have in harmoniously drawing out the faculties of the human being, so as to ensure perfect intelligence, nobility of feeling and moral action? Plainly, unless we can show that the dramatic presentation of moral problems has some peculiar advantages, either in the way of clearness or impressiveness, we shall be unable to claim for it a distinctive place in a system of education. This, however, seems by no means difficult. It is a time honored adage, confirmed by the experience of centuries, that example is more powerful than precept; and what is the dramatic representation of a moral problem other than teaching by example? It may be objected that examples sufficient for this purpose are to be found in actual life and that, therefore, the drama is superfluous. Unfortunately, however, actual life is not under our control, and hence we cannot command such examples either at the time, or in the form, or in the number, in which we require them. But even granting that we could, to some extent, command such examples, they would, in almost every case, be subject to one or other of two disadvantages. Either through the crowding of fortuitous circumstances, the moral import of the problem would be obscured and so lose its impressiveness, or else this impressiveness would be gained by such an outlay of time and physical and moral strength as to neutralize its own possible benefits. Experience is, undoubtedly, the most efficient moral instructor, but as Jean Paul says, the school fees are rather high, and we may add, the curriculum rather tedious. Evidently then if we could find some substitute for experience, costing less and producing the same or a better effect, we ought to hail it as an important factor in education. If the

drama then has any place in education, it must be on the ground that it takes the place of a large amount of experience and performs the same function, either as well or better, and not that it takes the place of direct instruction addressed to the intellect. What, then, may we ask, is the value of experience as distinguished from intellectual instruction? It lies in this, that while intellectual instruction, however perfect, may simply remain in the memory, leaving the heart cold and the will uninfluenced, experience appeals strongly to the feelings and imagination, and through these affects the will. If, then, the drama is to take the place of experience, it must appeal to the feelings and imagination with the same result. Now there can be no doubt that the drama, when properly presented, is eminently calculated to do this. And not only so, but it does it in a way in which experience can rarely accomplish it. By presenting the consequences of the moral problem in their isolation, within a brief space of time, the drama adds much to their clearness and impressiveness, and indeed this is the very function of the drama. This result in no way conflicts with that article in Aristotle's definition of tragedy, according to which the purpose of tragedy is to accomplish, by means of fear and pity, the purification of these emotions. For what, after all, is impressiveness but the arousing and purifying of the emotions through pity and fear?

From what has been said, it is evident that the drama can do its proper work only under certain conditions, which may be regarded as technical rules of dramatic art. In the first place, action, in which the moral collision is worked out, must be a unity, including everything that would tend to render the import of the problem impressive, and rigorously excluding everything of an opposite tendency—everything that would distract the attention and withdraw it from the main issue. At the same time the utmost care must be taken not to trench upon the province of the pulpit or lecture room by explicitly drawing the moral. This, the audience itself must be allowed to deduce from the impression made upon it by the events of the drama. In the second place, the subject chosen must be of a lofty character, and the treatment ideal and free from meretricious elements. And above all, it must clearly exhibit the intrinsic difference between virtue and vice and the natural consequences of each. In the third place, the subjects chosen and their working out must be such as are calculated to

appeal vividly and in a thought-stimulating way to the audiences for which they are intended. It is sufficiently evident that many plays which would deeply move a highly cultivated audience would fall dead upon a rude and uncultured one; and the opposite is no less true. It may perhaps be observed that although the drama has something for all conditions of men, its most beneficial effect, as an elevating influence, will be exerted upon the lowly, who compose the mass of mankind. To quote from Göthe: "The rude man is contented if he see but something going on, the man of more refinement must be made to feel, the man entirely refined desires to reflect." Cultivated men are to a considerable extent guided by reason, whereas, in the word of a philosopher of the Middle Ages, "Simple men are more guided by representations than by reasons." We must not, therefore, in our devotion to high art, fail to recognize the value of those less pretentious dramas, which find a response in the hearts of the lowly. As Lowell has so generously said:—

"It may be glorious to write
Thoughts that shall glad the two or three
High souls, like those far stars that come in sight
Once in a century.

"But better far to write some verse or line,
Which seeking not the praise of art,
Shall make a clearer faith and manhood shine
In the untutored heart.

"He who doth this in verse or prose
May be forgotten in his day,
But surely shall be crowned at last with those
That speak and live for aye."

We may fortify some of the opinions already expressed, by the following quotation from Göthe: "We have a lively proof how useful the theatre might be to all ranks; what advantage even the State might procure from it, if the occupations, trades, and undertakings of men were brought upon the stage, and presented on their praiseworthy side, in that point of view in which the State itself should honor and protect them. As matters stand, we exhibit only the ridiculous side of men; the comic poet is, as it were, but a spiteful tax-gatherer, who keeps a watchful eye over the errors of his fellow-subjects, and seems gratified when he can fix

any charge upon them. Might it not be a worthy and pleasing task for a statesman to survey the natural and reciprocal influence of all classes on each other, and to guide some poet, gifted with sufficient humor, in such labors as these? In this way, I am persuaded, many very entertaining, both agreeable and useful pieces, might be executed." Having thus shown that the drama, being so much idealized experience, may, with advantage, replace, in education, a large amount of actual experience, by presenting moral problems so as ultimately to affect and purify the will, we pass to the consideration of the next point, which is the present condition of the drama, especially in our own country, and its fitness to exert a beneficial influence as a substitute for experience in education.

This part of our subject may be treated under two divisions, (1) the piece represented on the stage and (2) the influence exerted by those who represent them. It must never be forgotten that the character of a teacher has much to do with the efficiency of his instruction. As to the former of these divisions, the pieces represented on the stage may, roughly speaking, be divided into four classes. (1) What may be called the classical drama, including the plays of Shakespeare and other dramatists of the Elizabethan period, and those of much later writers, as Dryden, Milton, Addison, Sheridan, Goldsmith, and others. (2) Translations from the foreign languages, especially French. (3) Dramatized novels, both native and foreign. (4) Original productions of modern English and American playwrights. Each of these divisions must be treated separately, inasmuch as, though all are open to objections from an educational point of view, they are not all open to the same objections. Evidently the objections against the classical drama will be very different from those to be urged against the other three divisions. Indeed, it will surprise most people to hear that plays like those of Shakespeare's are open to any objection whatever. From certain points of view these works will doubtless always hold a supreme position, but it does not follow from this that they are in every respect adapted to our stage. Without even going as far as Charles Lamb, who maintained that the plays of Shakespeare are less calculated for performance on a stage than those of almost any other dramatist whatever, we may still maintain that they are to some degree obsolete, and in many ways unfitted to influence, in the highest

degree, the generality of people who attend our theatres. The truth is, the problems of Shakespeare are, in great measure, no longer our problems. The very conditions of life, from which the majority of his plots are drawn, do not even exist among us. A sentiment like this :—

> "There's such divinity doth hedge a king,
> That treason can but peep to what it would,"

finds no response in the American bosom. Indeed, our very existence as a nation is the result of a rebellion against that very order of things which forms the basis of Shakespeare's drama. It might even be maintained that Sophokles appeals more directly to us than Shakespeare, just as the Athenian Republic is in many respects nearer to us than the English Monarchy. Indeed, what the eminent German critic, Freytag, has said in regard to the Greek drama, is, in great measure, applicable to the Shakespearean. "The intellectual and ethical status of man, the relation of the individual to his race and to the highest powers of mundane life, our notion of freedom and the ideas we entertain of the being of God, have undergone great transformation. While a wide field of dramatic material has been lost to us, a more extensive territory has been won. Alongside the ethical and political principles which govern our lives, the ideas of what is beautiful and effective in art have developed." Bearing this in mind, we shall recognize that the wide spread lack of appreciation for Shakespeare's plays, as compared with works of far less artistic merit, is not altogether due to the low culture of the audience, but must, in some degree at least, be charged to the plays themselves, which no longer completely reflect the moral problems that interest us. While their grandeur and truth must appeal to us and to all time, they have, to some degree, fallen into a historical position as far as the popular stage is concerned.

We pass next to such pieces as are translations from foreign languages, and especially from the French. The objections to these will, of course, be very different from those urged against the English classical drama : they will be mainly of a moral character, for few dramas can vie with those of the French stage, in artistic construction and dramatic effectiveness. This, no doubt, accounts for their popularity on our stage, but these advantages are more than counterbalanced by their defective morality. This

defectiveness lies sometimes in the plot; sometimes in the mode of treatment. Not unfrequently the moral collision is of an ignoble kind, and, therefore, altogether unfit for dramatic representation. This is the case with "Camille" and plays of that order, which by investing certain relations of life with an air of respectability, tend to weaken our just moral aversion to them. On the other hand, many plots in themselves unexceptionable, are worked out in such a way as to present vice in an attractive aspect, so that it pleasingly haunts the imagination and tends to bribe the conscience. Of course, these strictures on French plays do not in any way refer to the classical French drama, the works of Corneille, Racine and Moliere, or even to some modern political plays, as Sardou's "Diplomacy" and others. Objections that may be urged against Victor Hugo's plays are mostly of another order,—morbidness, horribleness of detail, perfervidness of imagination. Striking examples of these sins against taste we find in "Lucrezia Borgia" and "Le Roi s'amuse."

From the other languages so little has been translated for the stage that what there is may be passed over in silence. We may merely remark that all foreign plays labor under the same disadvantage, viz., that they do not accurately mirror our problems.

We now take up our third class of plays, viz., those founded upon popular novels. Such dramas are open, first of all, to the same objections as the novels from which they are drawn, *e. g.* frivolity of plot, mawkish sentimentality, conventionality, flippancy, vulgarity, and even downright immorality. Besides these they are liable to have other defects which, though due to their parent novels, would not be regarded as defects in the novels themselves. For example, long narrations and descriptions, episodic arrangement of scenes, and consequent lack of unity in the action. As an example of these defects take "Little Emily," founded upon Dickens' "David Copperfield." One criticism, to which nearly all plays founded upon novels are amenable, is that, strictly speaking, they are to a certain degree undramatic, and by depending for part of their interest upon things external to the drama, tend to confuse the dramatic sense, whose existence is always a mark of high culture.

Our fourth and last class of plays includes pieces by modern English and American dramatists.

This class is so extensive, and includes such diverse elements,

that we can hardly be expected to treat it exhaustively. Nevertheless, it does seem to have this general characteristic, that the pieces composing it, tend rather to the comic and the burlesque, than to the tragic and serious. This fact is perhaps as much due to the lack of tragic poets, as to the lack of appreciation for the tragic on the part of audiences. Even the best of our recent poets have almost uniformly failed in their efforts to produce actable tragedies; notably the greatest of them, Tennyson, Longfellow, Swinburne, and Buchanan. It may be said that, on the whole, the nearest approach on our stage to the tragic is the melodramatic, which in many ways may be said to be the abuse of the tragic, in that it uses the means of impressiveness, not to solemnize the mind and purify the will, but to arouse the physical side of emotion and exhaust our nervous vitality. One leaves the theatre, at the conclusion of such plays, completely unstrung. Such mawkish, sensational, mock heroic pieces, instead of producing a wholesome, purifying effect upon the mind, have rather a malarial and feverish tendency. Unquestionably, the best factor in our modern drama is the comic, and there need be no question that it often has a beneficial effect. Parts like "Lord Dundreary" have done much to banish from the theatre of actual life certain weak and contemptible types of character, by making them universally ridiculous. On the whole, the comic drama, though generally reckoned inferior to the tragic, is, when properly managed, hardly a less powerful force in education, and it moreover reaches a lower and more numerous class. But, in order to do this, it must, at bottom, be serious and have an earnest purpose; in other words, it must direct its ridicule against actual abuse, foibles, and follies, being careful to show the utmost respect to that which deserves respect. It was this fine tact which, while seizing the truly ridiculous, bows before the good, the true, and the beautiful, that lent such scathing force to the plays of Aristophanes, Moliere, and Beaumarchais, and made them powerful agents in the moral regeneration of their times. Whatever objections may be urged against our comic drama, are due to the lack of this tact. The American comedian, like many of his countrymen, in his effort to be funny at all hazards, very often fails to distinguish between ridicule and flippancy, which is the cardinal sin of American comedy, as, indeed, of much else in our literature and art. Few things short of vulgarity or obscenity have a more baleful effect on

the tone and temper of men's minds, than this same flippancy which saps at its very foundation, that fine reverence which Göthe, with good reason, regarded as the essential condition of all true education. If our comic writers had, instead of this undiscriminating flippancy a true sense of the intrinsically ridiculous, they would find ample material in the conditions of our political and social life to employ their talents upon, with infinite advantage to our people and institutions. An Aristophanes in Washington would do more than President Cleveland to grease the wheels of Civil Service Reform, while a Molière or a Beaumarchais in New York would go far to put an extinguisher upon Anglomania, dudism, snobbery, and tawdry display; to help the solution of the vexed question between labor and capital, by visibly exemplifying the remark of Swift, that the Lord shows the value which He sets upon money by the kind of people he gives it to. How would our boarding-school or boy-farming institutions look after a Molière had been imprisoned in one of them for a month or two and survived to record his experiences on the stage? Besides these objections, which apply to very many of our modern plays, there are others that apply only to particular grades or classes of plays, such as those that might fairly be urged against all pieces written to exhibit the special characteristics of our actors or actresses, which are often but mere mannerisms. These plays most frequently lack unity of action, moral import, and, in all cases, proportion. Another objection applies to the use of adventitious and meretricious means for the purpose of exciting vulgar interest. Among such means are the introduction of notorious characters, merely on account of their notoriety; the use of glaring or gaudy scenic effects; the interlarding of the dialogue with popular slang; cheap repartee; local allusions, and unsavory insinuations. It is sad to think that a large number of our most popular plays derive their chief interest from these defects.

It would be impossible, even if it were desirable, to point out all the shortcomings of our modern drama, but enough has perhaps been said to show that a very large portion of it fails to perform the function which the drama ought to perform in education. But after all deductions have been made, there still remains a considerable residue of plays, especially from the Classical period, to serve as a model and basis for a great educational drama,

such as we may hope will some day grace our national literature, and the literature of the world.

Having thus passed in rapid review the repertory of our modern stage, and pointed out its most salient defects, we come next to consider the actors and their personal influence upon the drama which they present. It is no part or purpose of this essay to criticise the private life of actors and actresses, but I should be neglecting an important element in the educational effect of the drama, if I failed to notice the damage done to it by the reputation in which theatrical people are held by a large and respectable part of the community. This reputation is by no means flattering. To explain how it came into existence, and to be as wide spread as it is, would require more time than I have at my disposal. About the fact there can be no doubt. Even Shakespeare complains that his name received a stigma from his connection with the histrionic profession. At all events, the important points for us to consider are (1) that this prejudice against the histrionic profession has a certain amount of excuse, and (2) that this reacts prejudicially against the profession itself, by preventing many persons, well fitted to adorn it, from joining it. With regard to the former point, viz., that the prejudice has some excuse, it should always be remembered that the moral defects so often complained of in actors and actresses, are due, in fact, to the same causes which render eminence in their calling possible, *e. g.*, sensuous and vivacious temperament, personal vanity, and the craving for immediate recognition and applause. They are, however, also due in part to the arrangements of the theatre and other circumstances incidental to the actor's mode of life. One must be little acquainted with that life, not to know the extraordinary temptations to which he is exposed, and it is no small credit that it furnishes fewer criminals than any other class in the community. As to the second point, there can be no doubt that the prejudice of which we have been speaking reacts, injuriously, upon the personnel of the theatre, by preventing many respectable persons from entering it, and so leaving it mostly to those who have but a small stake in the world's opinion. Thus through action and reaction the character of the profession has for a long time remained unchanged—at least in our own country. Signs, however, are not wanting, to encourage us in the belief that this state of things will soon be remedied ; that persons of the highest re

spectability will enroll themselves in the histrionic profession, as, indeed, they have begun to do; and the stage take a position, in point of respectability, alongside the pulpit. They ought not, I think, to quarrel. How much is it to be wished that both the celebration of nature and of God were entrusted to none but men of noble minds. That Göthe's hope bids fair to be realized, we are led to believe from the words of Henry Irving—one of the few highly educated actors—in his speech delivered last March at Harvard University. "The profession," he says, "is steadily growing in credit with the educated classes. The enthusiasm for our calling has never reached a higher pitch."

From all that has been said upon the drama and the actor, it is evident that we have no theatre at once popular and calculated to perform it's proper function in education. The question then, that remains to be considered, the third which we proposed to ourselves, is: How shall such a theatre be realized? Before we can answer this question, and suggest means for remedying the present deplorable condition of the stage, we must look deeper into the causes of this condition. These causes nearly all lie in one fact, highly characteristic of our natular civilization. The Drama, like almost everything else in our day, has fallen under the iron law of political economy, and has thus become an article of merchandise. Obedient to this law of supply and demand, the first question the manager asks, respecting any play or actor is, how will it or he draw?—which means, how much hard cash will it or he bring into the till? This being so, the larger the public whose tastes he can gratify, the better. Aiming thus at the multitude with his vulgar, glaring play-bills which disgrace the public fences, he takes the average taste and ideas of the multitude as his standard; these are of necessity, conventional and lacking in elevation. In this respect our drama stands at a great disadvantage, as compared with that of the great periods, when poets like Sophoklês, Shakespeare, and Göthe, writing for an intelligent public, produced works corresponding to it's intelligence and taste.

That the taste of the multitude is in the main conventional and far from elevated, is shown in the most distressing way by what it applauds; which in most cases argues a lack of intelligence and good taste. If we now go a little deeper and ask ourselves what is the cause of this unfortunate lack of fine discrimination, we

must answer that it is due in part to want of æsthetic education in early youth, and in part to subsequent association and mode of life. It is a notorious fact that our educational institutions, from the lowest to the highest, do almost nothing to develope the dramatic, or even the artistic, sense; indeed, that what the Greeks emphasized so strongly under the name of purification, and to which Aristotle assigned the drama as a powerful agency, is almost entirely overlooked in our education. Furthermore, the restless, anxious life of the average American, devoted, as it is, to the pursuit of wealth and mere position, leave him little time or strength for the loftier occupations of existence,—history, art, science, philosophy, religion. Even when he does devote some time to the last, viz., religion, the effect is, perhaps, more frequently to narrow and suppress thought, than to broaden and develop it. Indeed, the mass of Americans are at that stage of culture when they wish to be amused without having to reflect. They look for relaxation of spirit in something less serious than their daily occupations, and not in something more serious. They do not appreciate that an ascent into the calm empyrean of earnest thought is more restful to the jaded spirit than a descent into the garish world of burlesque and caricature. What they most care for is to see their ordinary lives reflected in a mock-humorous way, which is anything but holding the "mirror up to nature." Here we are confronted by the oft-recurring difficulty of action and reaction. We cannot elevate the public until we elevate the theatre; we cannot elevate the theatre until we elevate the public—so long as the drama is a question of supply and demand. In order to elevate either the one or the other, we must elevate both at once, and each through the other. In other words, we must in our homes, schools and colleges, educate the rising generation to an appreciation of the earnest drama and its import; and, on the other hand, we must furnish it with an earnest drama to appreciate. Thus education in its narrower sense, can be made a preparation for education in its broader life-sense; and the latter, idealized in the drama, will be made to react upon school education, by familiarizing educators with great ideas, presented as object lessons. In this connection let me quote a few more sentences from Henry Irving. The drama in its "highest development acts as a constant medium for the diffusion of great ideas, and by throwing new light upon the best dramatic literature, it largely helps the growth of

education. . . . Some of the most thoughtful students of Shakespeare have recognized their indebtedness to actors. . . . Am I presumptuous, then, in asserting that the stage is not only an instrument of amusement, but a very active agent in the spread of knowledge and taste?"

We are now, at last, brought face to face with two perfectly definite questions, answers to which it is the ultimate purpose of this paper to suggest. These are: (1) How shall we make the rising generation capable of appreciating the truly dramatic, and critically discerning it in the plays put before them? (2) How shall we procure and present to it, and the general public, the truly dramatic in a suitable form? The answer to the former of these questions is, "By instruction," which ought to begin in the family and be carried on through all the grades of education.

In the family alone a great deal can be accomplished in this direction. Children are in the highest degree imitative, and many of the commonest games in which they participate,—*e. g.*, playing house, London Bridge, "Oats, peas, beans, and barley grows," going to Jerusalem,—are the rude beginnings of the drama. These and similar games, thoughtfully developed and improved, could not fail to be excellent first lessons in dramatic education. This would not only develop in the children the dramatic sense, but would also accustom them to amuse themselves in a rational manner. The importance of doing this can hardly be over estimated; for, if we consider carefully, we shall find that the greatest good and the greatest evil in men's lives are learned in their hours of amusement, and, conversely, this moral condition can be accurately gauged by the sum of the amusements which they seek in their leisure hours. It may truly be affirmed, that no more important step can be taken in education, than by teaching people to amuse themselves in a dignified way, and that few things would more powerfully contribute to this end, than the accustoming of them, from childhood up, to witness, and take part in, properly conducted dramatic representations. Once for all, we must rise above the foolish and injurious prejudice, that there is any opposition between education and amusement. Almost the contrary is true, for amusements properly conducted, are among the most powerful and far-reaching means of education. Indeed, Aristotle, from whose authority in matters of education there will hardly be any appeal, holds the function of the drama, and of the fine arts gen-

erally, to be educative amusement,—an opinion in which the world will certainly concur, as soon as it has recognized the claim of amusement to a high place among educational agencies. The function of the fine arts, is to present the ideal world toward which we are struggling, and in the contemplation of which, the soul, wearied with the often hopeless-seeming moral struggle of actual life, finds rest, refreshment, inspiration, and renewed strength.

But to return to the question of dramatic education,—the course of training, begun in the family, ought to be continued throughout the whole school life, including that of the university, and be treated as an essential part of the curriculum. This might be done in a variety of ways. For example, every educational institution ought to require the production, at certain festive seasons of the year, of well selected plays, previously studied and rehearsed with the utmost care. This is done in some of the best English schools. At the same time, pupils should be encouraged, under proper supervision, to attend good plays in the public theatres, and the import of these plays made clear to them, either before or after. In the higher institutions of education, there ought to be a special department of literary, and, above all, dramatic criticism. The course in this department should include, mainly two things: (1) The reading of the dramatic masterpieces of ancient and modern times, with analysis and exposition from the highest dramatic and philosophic point of view; (2) the interpretation of the greatest critical works in the drama, beginning with the Poetics of Aristotle, whose value even in our day can hardly be overestimated. The lessons of this course should be varied and impressed at certain seasons by the production, on the part of the students, of some of the plays that have been studied. With what success this might be done was shown, a few years ago, by the production of the "Œdipus Tyrannus" at Harvard. There seems no good reason why any institution, having courses in any of the fine arts, such as music and drawing (Harvard has courses in both) should not include a course in dramatics,—generally acknowledged to be the highest of all the arts. How readily students would take to such a course, is shown by the fact that many college societies annually produce plays as a part of their amusement. Some of the plays are original and not wanting in merit. If there existed such a course in our chief universities we might look forward with some confidence to a race of playwrights,

actors, and critics, who would ensure the total reformation of the stage.

We have thus endeavored to answer the first of the two questions proposed, viz., how shall we make the rising generation capable of appreciating the truly dramatic? In doing so we have, in fact, also furnished an answer to the second, viz., how shall we present to the general public the truly dramatic in a suitable form? This partial answer must now be completed; it is not enough to have developed playwrights, actors, and critics; we must farther provide that they shall have a fruitful field for the exercise of their powers,—in other words, that they shall have a large public. No doubt, by their own unaided exertions they would in some degree be able to secure this, but, in order to do so in the most extensive and beneficial way, they would require such co-operation as should render them independent of the iron law of supply and demand. Evidently so long as the present demand determines the supply, there will be no place for the productions of cultured dramatists. In order to reform the drama, the supply must be made to determine the demand. And this is not impossible, for as Göthe, who as a theatre director, critic, actor, and playwright in one, certainly had plenty of experience in the matter, says: "By presenting excellence to the people, you should gradually excite in them a taste and feeling for the excellent; and they will pay their money with double satisfaction, when reason itself has nothing to object against this outlay."

It is only because they are not used to taste of what is excellent, that the generality of people take delight in silly and insipid things. Indeed, we must contrive to give to the public, if we wish to elevate it, not what it desires, which is often foolish enough, but what it requires for its highest welfare. In a country like ours, where the censorship of the theatre is neither possible nor desirable, it seems possible to furnish the public with an educative drama in only one of two ways. We must either convince all theatrical managers of the dignity and sacredness of their office, and induce them to defy the iron law by giving the public what it needs, rather than what it desires, or else some agency, conscious of this dignity and sacredness, must take the matter entirely out of their hands.

Inasmuch as the conversion of theatrical managers—who are too often inaccessible to any motives save those of gain—seems

unlikely to be sudden, if at all possible, we are thrown back upon the second alternative.

The question then is, when the matter is taken out of the hands of the ordinary theatre director, in whose hands shall it be placed? Here only suggestions can be given. The first agency that naturally suggests itself, is the State or community. While assured that the drama is an educative force, and ought to take its place along with other educative influences, we must bear in mind two facts, viz.: (1) That the question how far the State or community may, with advantage, interfere, even with school education, is still unsettled. And, secondly, that this is still more true in regard to the question of what may be called life education, to which, in reality, the drama belongs. But so long as the State does assume the responsibility of public education, and bestow care and pecuniary support on libraries, museums, and galleries of art, with a view to elevating the public intelligence and taste, there seems no good reason, to say the least, why it should not assume the same responsibility for the theatre, which has, or might have, a more direct and powerful educative influence. We have already seen that, in Göthe's belief, even the State itself might derive great advantage from assuming the direction of the theatre, and placing upon the stage the ideal side of the lives and occupations of all ranks of society. But whatever advantage might directly accrue to the State from assuming the charge of the theatre, we have ample proof to convince us that state superintendence has in many cases been of great benefit to the theatre, raising it out of dependence upon the caprice of popular taste, and rendering it a powerful agent in popular education. In ancient Greece, where the drama reached an unparalleled eminence of splendor and usefulness, the theatre was not only entirely under the control of the State, but formed an essential part of the public worship. And so thoroughly convinced were the Athenians of the value of dramatic representations to the public that, in the time of Pericles, the most glorious period of Athenian history, a law was passed, providing that the entrance fee, for all the citizens, should, if necessary, be paid out of the public treasury. Likewise, in modern times, many of the best theatres in Europe are managed by the state. This is true in many of the German states. Everyone will remember the extreme care bestowed upon the Weimar Court Theatre by Göthe and Schiller, who, indeed, wrote

some of their best works for it. At the present day, the court theatre of the little principality of Saehsen-Meiningen is said, by competent erities, to be one of the best in the world, and there are many other high elass theatres under state direction in other parts of Germany, at Munich, Carlsruhe, and Stuttgart.

In Austria and in France, also, where the theatre forms a more important element in life than, perhaps, anywhere else, it is largely under State direction, and this with the very best results. The Theatre Française, universally looked up to as the model theatre of Europe, being under State management, is able to mould, instead of serving, public taste, and has thus given to Franee, where it is said "poet never grew," the best aeting drama in the world.

It thus appears that in suggesting that the State in our own country, should undertake the direction and maintenanee of the public theatre, we are not proposing any mere visionary scheme, but a plan that has been frequently realized with very great and obvious advantages. Granting, then, the State's competency to assume the direetion of the theatre, there now arises the very important question. how shall the State be made to feel its obligation in the matter and .indueed to take some practieal aetion in regard to it? It must always be borne in mind that State authorities are not justified in introducing any measure of reform, however excellent theoretically, whieh does not eorrespond to an expressed public demand, and bid fair to be supported by public sentiment. That the demand for a reformed theatre is widely felt in our own country, there eau be no doubt. Sinee I began writing this paper I have received from a eollege friend a letter from which I venture to quote a sentence or two as indieative of the feeling of the best of the rising generation:

"The American drama of to-day, I eannot eonsider as a sueeessful edueator. We have a few good plays, sueh as 'The Banker's Daughter,' and one or two of Bartley Campbell's, but, for the most part, our stage is given to plays of the feeblest and most slangy deseription. The people evidently want to be amused, and are ready to laugh at, and pay for, anything that looks funny. Yet, on eonsideration, amusement or reereation is a branch of education, and I sincerely hope that the people will soon graduate from some of the nauseous stuff that is now produeed." How then shall the feeling here expressed be made to assume sueh a form as shall justify the State, or let us say a city govern-

ment in taking action in the premises? The answer is, what the State may be expected to do, must first be realized, by way of example and inducement, under private auspices. When under these auspices it has been shown that the reformed theatre meets a public demand and is, by its elevating and educating influence, increasing this demand, the State will, no doubt, feel justified in stepping in and handsomely completing what private societies have begun. Examples of this carrying on by the State of enterprises, originally private, are by no means rare. In England the telegraphic system, originally established and owned by private companies, is now entirely managed by the government, to the great advantage of the public. In most European countries the same is true of the railroad system. In all civilized countries it is true of the postal system, which plainly could not have been developed under any but State auspices, to its present wonderful degree of usefulness. What is true of the telegraph, the railroad, and the post office, is, in a measure true of more directly educative institutions, libraries, museums, art galleries, etc.

Our view, then, in fine, is, that while our schools and colleges are being induced to give theoretical and practical instruction in dramatics and thus preparing the rising generation to appreciate a good drama, those philanthropic persons, who see the value of the drama as a possible means of universal education, should form themselves into an association, with some such name as the Society for the Reformation of the Drama. From the foregoing arguments, it will be sufficiently evident what the chief tasks of this society would be. (1) To obtain the direction and if possible possession, of well appointed theatres; (2) to study carefully the condition of public intelligence and taste, and to produce upon their stages pieces calculated at once to attract the public and elevate it; (3) to give every possible encouragement and opportunity to earnest playwrights and actors, and to frown down those of an opposite character; (4) to exercise a rigorous but just criticism, upon all plays whatever produced in public theatres, and with a view to this, to give all aid and countenance to serious critics; (5) to agitate in favor of the introduction of dramatic study and criticism into all institutions of general instruction.

In order to establish such a society as that, whose chief aims we have just enumerated, it is obvious that two main conditions would be essential. (1) a body of highly cultured men, keenly alive to

the artistic and educational possibilities of a true drama, as well as to the crying defects of the drama at present existing; (2) a sum of money sufficient to enable a body of men, formed into a society, to carry out the ends we have mentioned. As to the former condition, our country can fortunately boast of many highly cultured and earnest men, who are only waiting for some enthusiastic leader to initiate such a movement as I have attempted to sketch, and to unite them into a society for the furtherance of the same. As to the second condition, viz., that of funds—in such an organization of cultured men there could hardly fail to be some financiers, and to their practical judgment we must leave the question of ways and means. And with this my task is ended. I have attempted to show (1) the ideal and true relation of the drama to education; (2) the present condition of the drama in our own country, and (3) to suggest ways and means whereby the drama may be lifted out of its present degraded condition, and reinstalled in its legitimate position as a powerful agent in education. Whether I have accomplished the task appointed me to the satisfaction of my hearers it is for them to say; but of one thing I am very sure, and that is my excuse for having attempted it. If I could but impart to one of my audience, one half of the enthusiasm which I feel for the cause of the drama in America, one half of my conviction respecting its elevating and educative possibilities, and one half of my readiness to spend and be spent in its behalf, I should feel that these humble efforts of mine have not been in vain, and should look forward with the greatest confidence to the approaching day when America shall have a drama of her own—a drama worthy of the lofty civilizing and educative moral position which she holds, and let us hope, will ever hold, among the nations.

III. CHILD LIFE IN CITY AND COUNTRY.

BY CHARLES D. KELLOGG, OF NEW YORK.

(Read September 10, 1885.)

One of the latest and ablest writers on Political Economy, Professor Ingram, of Dublin, says: "an economic reorganization of society implies a universal renovation, intellectual and moral no less than material. The industrial reformation for which western Europe groans and travails, and the advent of which is indicated by so many symptoms (though it will come only as the fruit of faithful and sustained effort), will be no isolated fact, but will form one *part* of an applied art of life, modifying our whole environment, affecting our whole culture, and regulating our whole conduct—in a word, consciously directing all our resources to the conservation and evolution of humanity." These remarks were applicable to the United States, once *facile princeps* in humane suggestions, but for two generations past wont to lag behind and imitate the social experiments of western Europe. Such opinions, coming from a department of science which has looked so long and fruitlessly at wealth as purely material, are among the most hopeful signs for the future. They are a distinct recognition in economic circles of the fact that there are indefinable elements of wealth, even those of the understanding and the heart, which have an industrial value.

I. The importance of placing neglected childhood in a simply average environment, may be argued with great force on its economical side, and thus the value of fair parentage, of decent sanitation, of wholesome methods of living and of a common moral and mental education, be estimated by a financial standard. From the English Annuity Tables one finds the percentage of deaths among persons under twenty years of age to be 33.7. The age of twenty is here taken as the probable average age of the European emigrants who arrive upon our shores, and whose productive value is capitalized by Prof. J. Thorold Rogers at $750 each. Now the death rate in New York city, for the five years preceding 1880, among children under five years of age, was 47.06 per cent. In 1880, the death rate for the same class, in the tenement houses of the metropolis, for the first six months, was 65.25 per centum,

a percentage which is lowered by the fact that it is this tenement population which swells the adult death-rate of the hospitals and public institutions. If these children had had the average prospect of life, the percentage of those who would have been alive at twenty years of age would be in the one case nearly 14 and in the other 32.18. Taking for illustration the population of the city at the specified times as 1,200,000, which is not far from the census returns, and applying the average death rate of Great Britain thereto, which is 20.4 in the 1,000 annually, and we reach a yearly loss to the community of 3,427 from the exceptionally bad conditions of infantile life in the metropolis at large; and had tenement life been universal in the city the number would rise to 7,872 lives at twenty years of age, representing a capital of $750 each. Pecuniarily, then, the annual loss from conquerable causes of child-mortality in the city is in the one case $2,570,150, and in the other $5,904,000. Did it cost no more to remove children under five years of age to the country than Mr. C. L. Brace (see 32d Annual Report of the N. Y. Children's Aid Society) requires for the class of children whom he places in Western rustic homes, which he now puts at $20 per head, five per cent. interest on the loss shown by these averages actually to have occurred, would have transplanted to rural homes all the tenement-house children under five years who died in 1880. Indeed, it is no great assumption to believe that the medical and funeral expenses incurred by these deaths would have accomplished the transfer.

But more serious considerations occur. It is a sad but justifiable reflection that the community is, under existing circumstances, richer rather than poorer, for this needless quenching of child-life. Death is by no means the only agency which destroys the industrial and social value of a human being. Neither is it when joined with lunacy, defects and disease. There are moral and mental imbeciles, who not only are useless in themselves, but who are a burden on the labor of their fellows. These they burden far more than the cost of the maintenance with the infection of incompetency, disorder and corrupt example. Had the children of the tenement houses who died in 1880 survived to maturity, no small part of them must have grown up to uselessness, vagrancy and crime.

The financial losses, then, of impoverished childhood in the great city have not yet been adequately shown. After the account

is made up with death, a more serious reckoning comes with life. Let us look at those who survive the pestilential atmosphere which envelopes, and the irrational and deficient nutrition which enfeebles the children of city poverty. Were it not better for themselves and the world that they should also succumb? In 1883 every twelfth commitment by the courts of New York was either of a girl under 20 or of a boy under 14 years of age; of the former there were 2,084, and of the latter 2,118, a total of 4,172, or about 750 more than would have survived if the mortality rate among children under five years of age in New York had been reduced to the normal standard of Great Britain. At the same time there were thousands of children drawn from the poor, permanently lodged in the public correctional institutions and the fifteen or twenty private reformatories of the city. Those youth who have fallen into police custody are probably lost for any good purpose to the community, and that loss, it will be seen, is greater pecuniarily and numerically than that caused by preventible death. As a social disease their presence in the community is injurious beyond computation, since an infiltration goes on from them through gradually enlarging areas of society. Nor is their depravity like the calamity which comes with a blow and then all is over. Having reached adolescence they go on from year to year dependent, predatory, contaminating. Mr. Delamater, of the New York Police Department, after careful estimate, tells me that "75 per cent. of our convicts are city born and bred," and adds that of the 2,576 inmates of the three State prisons of New York on the 30th Sept. 1884, 1,645, or 63.8 per cent. were from Kings and New York counties. The secretary of the National Prison Association writes more conjecturally, but more emphatically: "I looked over . . . my list of cases which I have investigated personally and find that more than four-fifths of the wrong-doers were either born in cities, or had become residents of cities when very young. . . . . If you had asked me 'as between large town and city and country-bred children,' I should have been obliged to add almost the other fifth."

Thus far there has been presented only a sordid view of the child problem, but it is the best defined aspect of it. Within it lie thousands of those irreparable and distressing tragedies,—human souls with varied and noble possibilities lying paralyzed and festering. Enveloping them is a larger mass not yet involved in

police and institutional supervision, where are the waifs of the streets that cringe, but like a misused beast make no outcry,—of girlhood stripped of all the charms of maidenhood, of myriads of dirty hands which have no skill, of profligate youth, of dissolute manhood and womanhood, of hovels and dens that reek with filth, of beggary, idleness and debauchery,—an illimitable expanse of human life over which sweeps no breath of joy, or promise, or hope, but which is stirred only by the foul miasma of passions and self-indulgence. And such is the fetid growth of neglected childhood in a crowded city.

II. To find the causes of the evil is to suggest the lines on which to seek the remedy. Thus far the evils of city childhood have been viewed from the basis of the average mortality of an entire nation. As the statistics of municipal life enter into that average, it is manifest that there must be parts of the country where the experience falls below the general line. Indeed, there are sections of *city* life which fall below it; sections where in every element of healthfulness, education, diversity of experience, refinement, usefulness and morality, civilization displays its highest achievements. Between this aspect of the town and the country there is no need to make comparison, or to enter upon any doubtful question of their relative merits. But the city triumphs of civilization only make darker their background of destitution. For example, the mortality rate of Philadelphia, a city where tenement houses are almost unknown, was 22.13 in 1883, or less than the average for England and Wales or for Scotland. But Philadelphia has its purlieus where plagues are hatched, its narrow, overcrowded, stench-laden courts and alleys, its summer caravans of baby coffins filing closely along every avenue to the cemeteries. Its low death-rate is owing to the exemptions of its better quarters from the inroads of effluvia and infections. The high rate in New York city—it was 29.65 in 1882—reveals the appalling condition of its tenement life. There is then a class of residents in the town whose estate is wretched far in excess of the common experience of the country. Why is this so?

(*a*) Let us look primarily at their physical surroundings and then at the moral consequences. One may stand on Brooklyn Heights, or upon the Palisades, when the stars shine with undimmed radiance overhead, and looking across the river he will see New York canopied with a cloud which reflects the lights of the

streets downward. The same phenomenon may be witnessed from Germantown by looking southward where the compact part of Philadelphia lies. What is this cloud? It is the exhalations of a great city. Into it are poured the smoke and gases of thousands of factories, the vapors from festering uncleaned streets and from the sewer openings at nearly every corner, the fetid breaths and effluvia of myriads of unwashed and perspiring men and beasts, and all the other evaporations of sinks and stables and garbage-heaps crowded together in pestilential profusion.

These vapors are heavy and lie in the low quarters and depressions which are given up to the poor, and in the blind courts and narrow passages and in the unventilated rooms of their dwellings. A woman, who often wants for a sufficiency of unwholesome food, and who is without skill to prepare it when she has it, a graduate of some factory, lays her young babe, whose pre-natal life was depressed by a mother's cares and griefs too often caused by a drunken or negleetful husband, in its cradle and its first breath is rank with noisome odors. Ill-nourished herself, eheerless in the dinginess and fetor of her room, anxious about the rent, oppressed with work, whether she is housewife or forsakes her home duties for the laundry or the faetory, her maternal nourishment is laden with pains for the ehild. Had she time she might earry the little one to the open squares of the city, but these are gradually disappearing, and the taxes for public pleasure grounds and healthgiving spaees are consumed upon the vast, distant Park accessible chiefly to those who have leisure or wealth. One need not paint afresh the oft-drawn picture of a tenement-house on a midsummer night, but the commissioners of health often have abundant reason to revive in such quarters the scenes of the London plague, and to send each morning among them a cart with a man to cry at the door, "Bring out your dead."

If a strong constitution resists these conditions the child will be left for hours or days to the care of an older, and often a heedless sister or brother; and they may be loeked in their room for seeurity during parental absence. Neither book nor picture will its little eyes encounter. It is seldom washed, habitually ill-clad, and familiar with hunger. Is it possible for a child to grow up physically sound under such conditions? In his most interesting study called "the Jukes," Mr. Dugdale elicited evidence of the significant fact, that pauperism was a mark of low vitality, a stage

lower than criminal life, which demanded some enterprise. And "a depressed and feeble vitality" has been pronounced by the State Board of Charities in Pennsylvania to be a characteristic of the inmates of almshouses. The child of such surroundings has its normal equilibrium destroyed. It has little room for the natural exuberance of childhood, its intellect is dull, its animal nature grows ascendant. When life is brought down so near to the primary struggle for existence, the refinements of modesty and self-respect disappear. It is stripped of its decencies and is vulgar and naked. Having little diversion, and precociously familiar with lewdness, it becomes the victim of vices which impair the mind, degrade the tastes and exhaust the forces of nature. In the most of this overcrowded life, there is little check to the wantonness of animalism. In his book on pauperism, the late Mr. Fawcett tells of households where whole families living in a single room fell into the most mixed and incestuous relations of consanguinity; and when the landlord made them more commodious apartments in the interest of decency, they simply sublet the new rooms and doubled the mischief. In the close contacts of tenement life, the privacy so essential to self-respect is impossible, and indecencies are endless. It is characteristic of life, as it approaches the savage state, that it will tolerate few or no refinements of manners. It drags, by intrusions, and jibes and ceaseless example, all conduct to one base standard.

Disraeli in "Sybil" emphasizes the fact that "incest and infanticide are far more prevalent in the city, and there the domestic principle wanes weaker and weaker, year by year,—nor can we wonder at it when there is no comfort to cheer and no sentiment to hallow the home."

(*b*) As for the education of such a child, it will get one, but of a deplorable sort. Of the public-schools the offspring of penury will see but little. The law of New York requires that no child under fourteen shall be employed in any shop or factory unless he can produce a certificate of fourteen weeks full, or twenty-eight weeks half, schooling. The provision is little better than mockery in the face of the well nigh universal system of graded schools in our cities. If the child could advance from grade to grade in this intermittent way, the vast numbers of foreign parents who compose the tenement population have no ambition to see their offspring instructed. If they had, they cannot provide them clothing, and

claim their services to run errands, mind the house, sell papers or beg. As soon as possible the children of poverty-pinched and thriftless parents are hurried into the mill. "Over 227,000 persons," says a late report of the New York Children's Aid Society, "are employed here now in various branches of manufacture. . . . Many thousands of children are employed at too tender an age or in unhealthy trades, so that the physique of the working classes is plainly deteriorating, and many thousands of young girls are taken from family life or domestic service and exposed to the temptations incident to lives in thronged factories, or belonging to continuous overstrain of nerves and muscles." All this is fatal to effective training in the school-room.

Beyond all the appliances of man's designing for education, is the natural instruction which we obtain from things and from converse one with another. It is the most extensive and the most practical part of what even scholars acquire. It is that which makes us quick-witted, versatile, discriminating and ambitious. Two laws govern this kind of education, the first is that it will take the direction our surroundings give it; the other is that its extent is in proportion to the diversity of things and persons which we encounter. How will these laws work among the tenement population? Consider that as our cities grow in size, and as rapid transit makes the distribution of the population in industrial or social groups possible, all the alleviating influences of wealth, personal influence, educated manhood and womanhood, refined manners, and even religious sensibility are drawn away from the quarters of the poor. To those who are in a social position to enjoy it, the diversities of a great city bring them ample and rapid opportunities for enjoyment and improvement. But for the poor the city is remarkably void of diversities. It is true that the contact with many persons, even in the low range which he is able to reach, makes the town waif observant and keen, but his versatility is too often lawlessness, and his wit audacity. When the factory or shop gathers him in and daily fatigues him with its mechanical monotonies, this mental alertness will leave him, and stolidity will come in its place.

One of the effects of the sub-division of labor in great factories or industrial organizations upon the mental enterprise of the workman, has been an inability or unwillingness to attempt any work to which they have not been trained. In very many cases, men

out of work in their trade refuse to attempt other employment, not from pride or idleness, but from the utter want of confidence in their own ability, and from the loss of enterprise. The narrowness of habit weakens their springs of action. Now it is the tendency of manufacturers to concentrate in the cities, and it is this tendency which has built the cities up into their present unexampled aggregations. People are drawn from the country to the town to find work, and this subdivided, narrow, ill-paid monotony of toil is what they get. Their children enjoy the sight of the same curbs and bricks, of the same grimy and profane manhood, of the same slatternly womanhood, of the same ragged, pert childhood, in the midst of which they acquire the ambition to win the approval of a poverty-scaled community. If they go to school or church, they have the same companionship.

As for the amusements of the poor children, penury closes the concert room, the theatre, and the lyceum to them. If they swim in the river the policeman takes their clothes; if they fly a kite he cuts the string; if they crawl into a dry goods box he prods them out; if they play ball he drives them off; if they sleep in the squares he wakes them up and tells them to "move on." There is light and warmth in the bar-room, there is rollicking fun, at the level of his tastes, in the variety concerts, and if he can read, dime-novels are cheap and exciting.

(*c*) A life moulded under these conditions has its physical and its mental recoil. The physical recoil is towards the indulgence of appetites; the mental is towards a conscious outlawry and hatred of the society which has given him no better possibilities. The first means drunken profligacy, and the second means crime. He drinks for excitement, he drinks because he has nothing else to do, he drinks because his vitality is low, he drinks because his atmosphere is fetid, his home uninviting, his heart hopeless, and no one cares; and then he drinks from habit and to secure the most comforting companionship.

Mary Carpenter writes: "I believe . . . . that the children who grow up untaught and uncared for in our Christian and civilized country do not owe restitution to society when they have infringed its laws, which they have never been taught. I believe that society *owes restitution to them* for having left them in this condition,—passed them by, as it were, on the other side of the world's highway. And I believe it . . . . because I have, for

these nine long years been watching the fearful odds with which these poor children are compelled to fight the battle of life."

They, too, see the odds, as they grow up. And when they perceive themselves beaten in the contest before they knew they had a contest, when they neither are respected nor respect themselves, incompetent, dissolute and aimless they come at last to the almshouse and the prison, conscious that every fibre of their being is wrought into the texture of the pauper and the criminal.

III. The remedy for this problem of neglected childhood is to change its environment. Difficult and sad as it is, it is not only more manageable than any other of the great social evils, but it carries with it their most hopeful correction.

There are two ways of changing the conditions of child-life among the poor; we may change their surroundings in the city, and we may remove them to better ones in the country. Octavia Hill and Sir Sidney Waterlow in London, Mrs. Alice Lincoln in Boston, Alfred T. White in Brooklyn, Miss Ellen Collins and Messrs. Cutting and Pellew in New York, and the Industrial Society of Mühlhausen in Alsace, have given examples more or less striking of the former, Mary Carpenter of the latter, and Charles L. Brace of both.

(*a*) Let us take up the change of environment in the city, and look first on its physical side. In view of the rapid increase of cities within the last generation, both as to number and size, it is necessary to consider what may be accomplished within them. They are a feature of our industrial evolution and represent a strong permanent tendency of the age. Since they are certain to exist, it would be a most impotent conclusion that lowly life could not be made pure, sweet and wholesome in them. Moreover, the attempt to remove the children of penury from them, can only be applied to a small class; and while it is a most valuable and successful present expedient, the hope will assert itself, that it will be but temporary if the modern city is to continue as an element of civilized life. In turning to the physical reformation, the remark of Professor Ingram, with which this paper began has application, "An economic reorganization of society implies a *universal* renovation, intellectual and moral no less than material." In other words, the homes of the people cannot be made healthful and good without simultaneously improving the personal qualities of their inmates. It is quite probable—indeed, examples of it

are not wanting—that a demoralized soul might be placed in a *palace* only to take there its habits of untidiness and degradation; and that personal improvement is a condition, and perhaps an antecedent one, of maintaining a respectable home. On the other hand, so far as child-life is concerned, decent habits and becoming thoughts cannot be acquired in vile surroundings. Indeed, in the case of adults, if the change of environment be not limited to a mere alteration of material things, but extend to neighbors and personal influences, there is abundant experience to show that improvement of character will often go hand in hand with improvement of circumstances. Of this Miss Hill's early operations in Marylebone parish, London, are ample confirmation. Another illustration may here be cited which has never been published heretofore. The Rev. Mr. Long was for many years an heroic missionary in one of the worst districts of Philadelphia. A few years' experience led him to the conviction that a vicious and criminal conventionalism existed in that quarter to which conformity was enforced on all its residents. He resolved to break it up, and his plan was to buy up the old rookeries at different points, tear them down and erect on their sites neat and respectable houses for occupation by honest families. He carried his architectural mine up to the very entrenchments of the deepest degradation, till the place surrendered and lay open to any reformatory influence which philanthropy devised for it. Objection was made to his operations that they would only disperse the beggars and rogues to other parts of the city where they would reproduce new festering spots of iniquity. He declared, after several year's experience, that these fears were not realized. The dislodged wretches were dispersed, it is true, but they could not find other quarters where their practices would be tolerated, and many of them conformed to the better standards of their new surroundings. He related how he subsequently met men and women whom he had befriended in Alaska street, and was pained by the refusal of some to recognize him. "But," said he, "reflection taught me to attribute this conduct to far other motives than ingratitude. These people had broken with their old lives, and wished to forget them." They had gained ambition and self-respect, and as Mr. Long's acquaintance linked them with a past that they abhorred, they broke it. If this reasoning were not the noblest, it certainly was promising, and it indicated that a change of environment did bring with it an improvement of character.

It has been said that the highest triumphs of civilization in respect to sanitary and moral conditions have been gained in the cities. Can they be won for the poor as well as for the fortunate? They have been already in the Peabody and Waterlow buildings, of which an account may be found in Harper's Magazine for April, 1884, from which the following quotations are made: "Such buildings can house well as many as 1600 people to the acre, whereas some of the most crowded and pestiferous parts of St. Giles' counted, street space excluded, but 400 to the acre." Again, "Also the great fact remains that, while in similarly placed slums the annual death rate runs to 40 and more per 1,000, . . . the Peabody death rate in 1881 was but 17.22 or 3.78 below the London average, and the Waterlow death rate for sixteen years but 16.7 as against 23.4 through the metropolis." This is a remarkable showing, for it shows that by means of proper sanitation in the densest part of a great city it is possible to reduce sickness and mortality below the average of the whole nation and down to the average of rural districts, coincidently with an increase of the pressure of population upon a given area to twice and thrice any that has yet occurred in any city of civilized nations. It proves that overcrowding is not the curse of the city, but the ignorance, neglect and rapacity which permit the poor to be scandalously lodged. These achievements demonstrate that it is possible to put a wholesome atmosphere, and, it may be added, at a profit to the capitalist, into the homes of the poor, even where they are in densest proximity. This cannot be done without bringing to bear upon the inmates firm supervision and discipline, compelling them to conform their calculations and habits to the requirements of respectable living. But the work of Miss Hill, Mrs. Lincoln, and Miss Collins further demonstrate that such discipline can be so applied as not to disperse the wretched to other quarters, but to improve their manners. A renovation which reaches the moral and intellectual life of parents, as well as the aspect of their apartments, provides those conditions in which children can attain to physical vigor, and makes practicable for the poor the aphorism *mens sana in corpore sano*. Superimposed upon this structure there must be a system of education compatible with the necessities of penury. Where the wolf growls at the door, parents cannot spare the assistance of even very small children; and if they could, they cannot clothe them and keep them in repair

suitable for attendance at the public schools. With reluctance this paper begs leave to doubt whether the public school system of our great cities, as at present constituted, can do much to solve the problems of impoverished childhood. With their inexorable grading, their antiquated and unpractical curriculum, their over-elaborated formulæ, and their methods of cramming, they are not adapted to children who have but a few hours for a very few years to spare, and those given intermittently; and who above all things need to be taught how to use their hands, their eyes, and their judgment rather than to memorize the geography of foreign lands and rules of grammar or philosophy which they do not understand.

Legislation has attempted something in the way of factory acts and truant laws, but it has left a tremendous incoherence between the statutes and the school-system. These difficulties are susceptible of removal, and will remove when it is ascertained just what ought to be done, and sufficient concentration of influence is turned to that end. The schools can be compelled to teach by object-lessons, to teach manipulation, to teach industrial arts, and to teach them at times and places convenient to very necessitous families; and the law can establish a system of inspection to see that its provisions are obeyed by shop-keepers and manufacturers, and that the truants are compelled to an attendance at the school-room.

Much has been accomplished by private endeavors in the right direction, and the well-attested and astonishing results accomplished by Mr. Brace through the Children's Aid Society, and by the American Female Guardian Society, both of New York City, illustrate at once the salutary moral influence of judicious educational measures, and what those measures should be.

The 32d Annual Report of the Children's Aid Society should be read by those who would learn how amenable this formidable evil of neglected childhood is to wise treatment. Arraignments for juvenile delinquencies in the police courts fell in nine years, from 1875 to 1883, from 1,139 to 610, and the commitments from 919 to 393 in the County of New York. The vagrancy of women and girls shrank from 1 in every 138 1-2 persons to 1 in every 541 in less than twenty-five years. Commitments of petty girl thieves sank in twenty years from 1 in 739 to 1 in 4,422 of the population. In eight years crimes against persons and property decreased over 16 per cent. up to the year 1883. And all this went on in the face of an increase of population by which it doubles in about twenty-

five years. The years since 1875 are chosen because they cover the reports of the new Board of Police Justices, which contain fuller statistics and are more accessible to the public; and also because since that date the valuable services of the New York Society for the Prevention of Cruelty to Children have supplemented the educational influences of the two other societies just named, and the emigration schemes of the Children's Aid Society; but an examination of the old reports of the several city prisons, made to the former Commissioners of Charities and Correction, from 1853, when the Children's Aid Society was founded, to 1875, prove a relative steady decrease of children's offences growing out of its educational and reforming influences. The favorable showing from the police statistics is not claimed to the sole credit of Mr. Brace's operations, but it does prove how similar endeavors make large inroads on the disorder and degradation of low life in the large cities.

The sanitary results are no less remarkable, "Among the 12,835 boys and girls in our lodging houses, last year," says the report for 1884, "only one death has occurred." Again, "Among 204,395 boys who have been, during the thirty years, in the Newsboys' Lodging House, there has been no case of any contagious or foul air diseases, not even ophthalmia; only one death (from pneumonia in 1858) has occurred." The observant and sagacious President of the New York Society for the Prevention of Cruelty to Children gives as his opinion that "our laws should be amended in regard to institutions entrusted with the care of children, providing compulsorily for the location of all of them outside the city limits."

Time forbids us to tarry long with this phase of our subject. Yet, before leaving it, notice should be taken of the salutary effects of open-air excursions, such as have been set on foot in New York by St. John's Guild, the Tribune Fresh Air Fund, in Philadelphia by the Children's Country Week, and by similar organizations elsewhere. To tired mothers and pining infants, the fresh air of the rivers, the sea and the meadows, if only for a day in the oppressive heats of summer, is a panacea. The bow unstrung recovers its elasticity. It is a pity that in the administration of great cities the interests of half its population are so little accounted of. They are managed for adults, for trade, for property-holders. Why should provision not be made for the sports of childhood? Let

spaces for fresh air be reclaimed by throwing down the walls of abandoned grave yards and legally obnoxious tenement houses; let them be preserved from the rapacity of commerce and landlords; let them be reserved until they exist in every ward of the town. In them should be malls for children's games, over which policemen should keep guard, not to repress the children's sport, but to warn off querulous and sordid age. Let the children know that they are a recognized constituency of civic life. Respect them that they may respect themselves.

(*b.*) While waiting the slow processes which shall yet renovate the condition of the municipal poor, prompter measures must be taken for those who are suffering meanwhile. One expedient has been adopted almost universally in the civilized world. It is so obvious, so cheap, so beneficent, that one may almost be ashamed to argue so widely-accepted and so well-proved a thing. Practically, it is the same in principle as the emigration schemes, which for fifty years have been urged in England as the remedy for the evils of her social state. The expedient in question is that of placing children in families in the country. Before the Paris Foundling Hospital adopted this plan its mortality rates averaged 56 per cent. a year. Under the new system, that rate sank to 30 per cent., for the whole time the foundlings were its wards, which enters the school age. The Hospital San Spirito in Rome reports the difference of the mortality between the children it retains in asylum and those whom it places with families in the country as 88.78 to 12.80 per centum. This is for abandoned infants.

In the year ending July 1st, 1885, 43.4 per cent. of all the deaths in New York City were those of children of five years and under; in New York State the percentage fell to 34.9; while in the rural districts, outside of all large cities and towns the proportion was but 19.16 per cent. These statistics are given, not to prove the uncontested superior healthfulness of the country to the city in respect of child-life, but to exhibit the measure of it.

As to the moral advantages of country life during the period when character is formed one important feature demands first notice. It is the selected class of families in which the children are placed. In England there are express provisions of law to effect this selection. Before a family can obtain charge of a ward of the State it must bring certificates of respectability and compe-

tency, and then a committee of neighboring inspectors has the right to see that the child is properly treated. In the United States the selective process accomplishes itself. As a rule, to which sad exceptions sometimes occur, willingness to receive a strange child into a family implies on its part affectionateness of disposition, a kindly hospitality, and a competency to make provision for its wants. So whatever the relative morality of the country and the town, this selective law places the children of adoption in an especially favorable position.

Much has been said of the healthfulness of contact with nature, which is little more than a glittering generality. But there are definite reasons why the farm is favorable to the safe development of childhood. The out-door life in pure air is one; the range of wide fields in which innocently to expend the exuberance of youth is another; the proportionate amount of diversified physical exercise, from driving cows to pasture and turning the grindstone, to raking hay or binding grain, is still another. There is no monotony of motion in the labors of a farm, but the position is varied with a dozen daily changes of toil until every muscle in the body is called into play.

The same diversity accomplishes an important educational result. The farm is one of the few industries left which has not seriously been invaded by the modern subdivision of labor. The farmer is still a jack-at-all-trades. He mends his harness and his tools, he repairs his barns and fences, he breeds his own stock, he raises a score of different crops, and every field and every change of season requires different duties and management. That most eminent and respected English authority, Mr. T. B. Ll. Baker, says: "Now, this is one point in which lies, as I think, the great value of agricultural employment. A boy comes to us, usually quick and energetic by nature (for unless he be so he is not likely to have distinguished himself in evil), and with a restless craving for change and excitement caused by long-continued vagabond lawless habits. Set him at once to tailoring or shoemaking, and while he feels an apparent confinement of his body within four walls, his mind has full liberty to return in imagination to former scenes of excitement. But, on the other hand, put him to hard and unused bodily exertion; his energy expends itself, not only harmlessly but profitably, on the stiff clay; the very feel of the fresh air and the appearance of liberty tend to tranquillize and

allay the feverish excitement; and, when the labor of the day is over, he is disposed rather to enjoy his rest in his new career than to revert to his former courses. He may probably, indeed, be disgusted at first with the hard work; not unfrequently he declares that he'll run away soon; but the very absence of walls and apparent restraint incline him to put off his intention till by degrees he finds, not only that the bailiff is nearly always in sight, but that even most of the boys would prevent his elopement (for the boys by no means like runaways); and, seeing those around him contented and patient, he finds that a life of labor and regular habits is, on the whole, more to be desired than the excitement of lawlessness."

In these varied occupations there is scarcely one in which even a child of tender years cannot render some assistance suited to its strength. Here is an object-lesson school; a kindergarten for manual training. As diversity of experience is highly educational the country child profits by a large observation of nature, and by application to a large variety of undertakings. It is true that his intercourse with persons is far more limited than that of the lad in town, and consequently he is liable to lack that quickness of responsive wit, that alertness to comprehend the spoken word, which life in the city brings. On the other hand, he gets what is far more important to one who has his living to earn by his own labor. He gets a faculty of observing things and their uses; he learns to adopt ready expedients for saving labor or meeting an emergency; he grows in mechanical versatility. In homely phrase, he becomes a handy boy. Instead of intellectual alertness, his gains are a hundred dexterities and a fearlessness of fatigue.

Nor must there be forgotten the varieties of social life which the country still presents, although the city drains it so largely of its most ambitious commercial and professional men. Whatever monotony the grown man may find in the country, there is none to the child. He sees no rigid divisions of rich and poor. His companions are of all the conditions of life which the locality affords. Here are not one church and one minister for the well-to-do and others for the working classes, but the child's pastor is the pastor of all. The passage from cow-herding to land-owning, from lowliness to social influence, is not barred to even the hired hand. All this is an atmosphere of promise and hope and self-

respect. Here still industry and faithfulness are roads to prosperity in which the poorest may walk, as they are not in the great shops and factories of the town. Is it not by reason of this hopefulness of advancement that so many country trained boys come eventually to the city, not terrified by its social distinctions, but bent on acquiring station in the best of them? Does not the robust vigor, the tirelessness acquired in destroying one by one myriads of weeds and in hoeing one by one thousands of potato-hills daily, the handiness caught by acquaintance with the innumerable tools and the diversified employments of the farm, explain the oft-observed phenomenon, that country-bred men in the end become the masters of the great cities and the recruiters of their strength and activity?

There is space only to clinch this argument with one set of facts. The Children's Aid Society of New York, in its first thirty-two years, sent 77,319 children to country homes. It employs five agents to travel and keep oversight of them. Its secretary, Mr. Brace, says: "Of boys under 14, sent west by this society, I do not think 5 per cent. turn out badly. Of those older, there are very few cases where they come back on the public, either in prisons, reformatories or almshouses; but they are inclined (like all our laboring classes) to change places often, and yet they often do well in a new family. . . . The demand from the Northwest for these children is as great as ever, which shows that they bear a good character there yet."

Remember that these children were the homeless or neglected waifs of New York; the gamins picked up by a charitable society when the natural supports of their childhood had rotted away. Contrast their healthfulness, honorable independence and social worth, with the products of the slums and tenements of the city, yes, and even with the products of its asylums and reformatories, and words will add no force to the argument. Of all the means yet devised for combating the mortality and the deterioration of neglected childhood in the city, none is easier, cheaper, more capable of general application and more beneficent than its transfer from dim and filthy courts to the green fields of the farm.

NOTE.—The above paper was kindly revised and in part edited by D. O. Kellogg.

IV. CITY SCHOOLS AS COMPARED WITH COUNTRY SCHOOLS.

By W. M. Beckner, Esq., of Winchester, Ky.

I never realized how odious are comparisons until I began to think about the theme assigned to me for the present occasion by your Secretary. I had declined the invitation to meet with you this week, and did not know certainly that I would be able to come until last Wednesday. As I left home on Thursday you will see that I have not had much time for the preparation of the paper which I am about to read. I hope it will not be less acceptable because it comes more from the heart than from the brain.

The schools of the ancients about which we know anything were located in the cities. Their experience has percolated through the ages, and is no doubt felt in the educational systems of to-day. I will not attempt to consider them, however, as I am sure that the present will afford scope enough for all the time that I ought to consume this morning. Schools have received more consideration in these United States than in all other countries of the world. Herbert Spencer says that "the ideal of education is that which prepares for direct self-preservation; that which prepares for indirect self-preservation; that which prepares for parenthood; that which prepares for citizenship; that which prepares for the miscellaneous refinements of life." Horace Mann, a greater than Spencer ever was, declared the object of our common school system to be, "to give to every child a free, straight, solid pathway, by which he can walk directly up from the ignorance of an infant to a knowledge of the primary duties of a man, and can acquire a power and an invincible will to discharge them." If this object be attainable under existing systems, then where they prevail our children have presented to them an opportunity to realize the ideal of the practical English thinker.

I take it that my theme refers solely to public or common schools. Private or select schools do not require consideration from bodies like this. They will take care of themselves. Common schools are not of modern origin; neither are they a Yankee invention. More than three hundred and fifty years ago Martin Luther declared that "Government, as the natural guardian of all the young, has the right to compel the people to support schools. What is necessary to the well-being of a State, that should be

supplied by those who enjoy the privilege of such State. Now, nothing is more necessary than the training of those who are to come after us and bear rule." Less than a hundred years after this was written, several of the German States passed laws making it compulsory on parents to send their children to school during a certain period. Over two hundred years ago, Scotland provided a free school in each parish, and has reaped an abundant reward in the character of her population. Scotch blood dominates Great Britain, and Germany is the greatest power on the Continent. More than two hundred years ago one voice in France was heard to say: "I am the State." Its echo was the French Revolution, conducted by people of whom not one in twenty could read and write. Hear Gambetta, as he utters sentiments which the *Grand Monarque* could not have understood, and which are the keynote to the marvelous progress of the new France that German conquest made possible: "We place the interest of the great question of public instruction above all personal quarrels, and it pleases me to see that, in the midst of the inevitable antagonisms of public life, all good citizens are united on this point." With liberal provision for schools, and laws compelling children to attend them, France is as permanently republican as any State in the American Union. Great Britain in 1820 inaugurated a system of popular education which has already done much for the people whose drum beat is heard around the world. It is not yet what it should be, but one of the questions in the coming Parliamentary elections, as Chamberlain recently declared, will be for schools for all at the expense of all. Her aristocracy do not close their ears to the cry of the masses for light, and yet they must be themselves blind, indeed, if they do not see that a people, when education is universal, will not long bear the burdens of the present English system.

Common schools, so potent for good, as I have shown, did not have their origin in cities. In this country they were first established by colonies, devoted almost exclusively to agriculture. New England then manufactured little save rum, and found a beginning for her commerce in the traffic of African slaves. I am not going to abuse her, however, for no man recognizes more fully than I do the great work that New England has done for freedom and the highest civilization; I merely want to suggest that she

ought to remember the beam in her own eye when she says to my section, "I am holier than thou."

Cities have played a noble part in the struggles for light and progress. In Europe they were the first to rebel against the feudal system. In England, London always led the fight against tyranny. In America, however, Boston was not much ahead of the rustic patriots for whom Patrick Henry spoke, whilst New York was really the stronghold of loyalty. There are, of course, advantages that the cities enjoy over the country, which are felt in their respective schools. Greater wealth and denser population enable cities to establish systems that are not possible in rural regions. Even in the Southern States, where popular education has been inadequately provided for, the cities, and many of the towns, have graded schools that will compare favorably with those of any other section. City schools have two great advantages; they pay better salaries and have more thorough supervision. They usually have more comfortable surroundings, and receive pupils who have greater knowledge of the ways of the world, because of their better opportunities to observe humanity, and to see and hear what is transpiring. But do they produce more great men? Of the twenty-two persons who have been presidents of these United States, at least eighteen were raised in the country. Washington never lived in a city except when in the public service. Jackson and Clay received the only education that they had in the country schools. The city schools make all more intelligent, but an inferior education in the country has certainly in many instances developed individuality of character, and produced great leaders of men. The Anglo-Saxon race has, in my opinion, never produced a greater soldier or statesman than Cromwell, who was country bred and reared.

City schools are more apt to fall into ruts, and to produce machine men and women than the country schools. In the first place they are conducted according to rules which take little account of individuals. In the next place they are in charge of professional teachers, who follow trodden paths and are not apt to question the theories of the masters under whom they have studied. Uniformity is thus reached, and children go first into the world, marching, as it were, by the lock step. Teachers of country schools are more apt to be young fellows who expect to be lawyers, doctors or preachers; or they are girls who have a pride to wear better

clothes, or an aspiration to see more of the world, or to acquire a better education themselves than their circumstances would justify them to hope for; or it may be feeling that they have a mission to teach. They are not wedded to methods, and have neither rule nor superintendent to control them. Frequently they communicate some of their own ambitions to the natures with which they come in contact, and a great man or woman may be the result. Nearly all of our leading men have been teachers of this kind. The majority of the country schools, however, are taught by those who have little culture, less ambition, and no conception of their responsibility for the work in which they are engaged. They have no thought save to exist, and look upon their pupils as mere means to the end of gaining a livelihood without manual labor. Unhappy fares the community with such a teacher,—men who are failures or unfit for anything else get places in the country schools because better material cannot be had. The pay in the country, as a general thing, is so inadequate that men of parts are not attracted unless it may be for a short time, until they can prepare for something more satisfactory. In my region the majority of the country teachers are women, who, as we lords of creation have decreed, must be content to do ever the same work for less wages.

In the Northern and Eastern States the difference between city and country schools is not so marked as it is in the South and the newer States of the West. Here you have denser population, more wealth, and a township organization. These are potent factors in the problem of securing an adequate system of schools. In nearly all the Southern States we now tax every dollar for school purposes as much as you do at the North, but it does not produce the same results. Sixteen hundred millions in Massachusetts will bring a larger fund at the same rate of taxation than three hundred and fifty millions in Kentucky; and yet we have substantially the same number of people, with more children to be educated, and these scattered over a much larger area. Then, again, the race problem is a serious matter in the management of our schools. It may seem simple to you, but you do not have to deal with it as a practical question. Mixed schools are not possible in the South, as public sentiment now stands. Whatever may be the theory about the equality of all men, the spirit of caste asserts itself in every age and country. The whites in the South were but

recently masters, and are descendants of a race that produced Alfred the Great a thousand years ago. The blacks are not yet free from the debasing influence of slavery, and only a few generations removed from the barbarism of Africa. The whites feel that it will not be beneficial to their children to place them in the same schools with those who have had fewer opportunities, and have been subjected to worse influences,—blacks understand that their children would be treated as inferiors, if in the same schools. Both races, therefore, prefer separate schools, just as they prefer separate churches, and keep the color line in marriage. In many places with us, the children of both races would hardly be sufficient to form a convenient school district, and yet the inexorable law of public opinion, which legislation cannot control, forbids that they shall be placed in charge of the same teacher. I think I know public sentiment in my State as well as any man in it, and I feel sure that I am correct when I assert that in proportion to population there are no more persons there opposed to the education of the negro than there are people in the North who do not believe in free schools. We divide our school fund equally with white and black, and every thoughtful man is sincerely desirous to lend a helping hand in the improvement of the race that did not come to our shores as willing immigrants, but which has developed so many admirable qualities. We realize that the negro is in this country to stay, and that we of the South must deal with the problems which contemporaneous occupation of the same soil, by different races, necessarily produces. We comprehend fully that to avoid miscegenation and mongrelism we must educate both races, and make them too intelligent to do what has been done in Mexico and South America.

Our city schools will take care of themselves, because wealth and population make the same conditions that you have in the North and East. But God alone knows what is to become of our country schools in the sparsely settled and poorer regions of the South. They lack order, system and money. As I rode through Virginia the other day, on my way here, I saw what strongly reminded me of the New South. In many places under the old plantation system where the master and an army of slaves had to be fed, the land had been so cultivated as to have become barren and useless. The old fields had been turned out as no longer fruitful, but after the lapse of years they have produced a forest

of pines and undergrowth, which make them look as fresh and green as the original forest, and have restored them to their first fertility. So with the South. A few years ago it seemed worn out from the effects of slavery, and destroyed by the ploughshare of war. But all over it may now be seen evidences of the vitality of its soil and the hope of its people. Like the old field forests it may look ragged, chaotic and disorderly, but the material is there to be shaped by the industrious and conscientious builder. Our country schools show signs of the improvement going on around them, but it will be generations before they will become what those who rely on them need. If the people were now able, it would still be idle to hope that illiteracy will turn and rend itself. Ignorance and avarice are fit allies, and when these are backed by poverty, the prospect is gloomy to those who are struggling for better things. Local taxation in the rural regions of the South is almost an impossibility. The majority do not appreciate what it would produce, whilst the minority are unwilling to bear its burdens. The solution of the difficulty is to provide schools that will give to the South a generation of educated people, who can then be trusted to make whatever sacrifices are needed to maintain a system that will have been so fraught with blessings to themselves. It has been the history of free schools that they remain wherever they may be once established. So it would be in the South. But how are they to be established?

It is only possible through the agency of Federal aid. Nearly every good school system now existing in any of the States is based on donations of lands, in the colonial period, or since the Union was formed. They have all had resources other than taxation. And yet we in the South, who honestly and earnestly favor free schools, have to contend with the prejudice against them bequeathed to us by ante-bellum times, with the poverty of the people, with the sparsity of our population, with the feeling of caste between the races, and with the very illiteracy which they are intended to remove. It is a hopeless struggle, unless the Federal government, from the surplus in its treasury, assists our school systems until they have strength enough to sustain themselves. It is useless to talk about the proceeds of public lands. These are now too inconsiderable, and besides the aid, to be effective, must be immediate. We ask it in the South, because we need it; because it would be of great advantage to the whole

country to grant it; and because by every principle of right and justice we ought to have it. I would not presume to occupy the time of such an assemblage as this in demonstrating how the North, the East and the West are interested in having the South as intelligent and enlightened as the other sections of the Union. And I need hardly insist that when the whole country joined in giving freedom and citizenship to the slave, it should assist in preparing him to comprehend and discharge the duties of his new condition. Besides, the South had an interest in the lands that have endowed the splendid school systems of the Western States and to which certainly one of the New England States is largely indebted for its prosperous common schools. The South has a claim in equity to be equalized from the common fund with those members of the Union that have needed help less, and do not have the responsibility of providing for the intellectual wants of the wards of the nation.

"The race problem," says Mr. Lamar, the wisest and truest leader that has been developed in the South, "is the problem of illiteracy." All other questions will speedily settle themselves so soon as the masses of the people become intelligent. The "Silent South" about which Mr. Cable has written so warmly and so well in the current number of the *Century*, embraces the enlightened cultivated people of that region. Ignorance and prejudice are noisy but will have no more power there, than in the North, when we have an adequate system of free schools for the country as well as for the towns and cities.

The South is rapidly learning the power of manufactures to increase wealth, and to give influence; but as yet her people are chiefly engaged in agricultural pursuits, and must be reached through country schools. These cannot be made what they should be without a sufficient supply of money which can only be had through federal aid. The chief difficulty in the way of obtaining this speedily is the want of a public sentiment so warm and earnest that our senators and representatives in Congress dare not disregard it. I appeal to those present who have so much to do with the thinking of the country to turn their attention to this question, as the most important need engaging public attention, and to show the same zeal in giving us this great lever with which to hoist illiteracy, that was manifested at the North in the fight against slavery. The aspiration of my heart is to see this country an indissoluble

union of free and equal States, inhabited by a people who, from Maine to Texas, enjoy the same opportunities for the development of the nobler elements of their nature. "Open the door of the school house to all the children of the land," said Daniel Webster. Let no man have the excuse of poverty for not educating his own offspring. Place the means of education within his reach, and if they remain in ignorance be it his own reproach. If one object of the expenditure of your revenue be protection against crime, you could not desire a better or cheaper means of obtaining it.

JOURNAL

OF

SOCIAL SCIENCE,

CONTAINING THE

TRANSACTIONS OF THE AMERICAN ASSOCIATION.

NUMBER XX.

JUNE, 1885.

SARATOGA PAPERS OF 1884.

PART II.

PUBLISHED FOR THE

AMERICAN SOCIAL SCIENCE ASSOCIATION.

BY CUPPLES, UPHAM & CO., BOSTON, AND G. P. PUTNAM'S SONS,
NEW YORK.

1885.

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